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LEGISLATIVE HISTORY

Public Law 89-20
H. R. 5702

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INDEX AND SUMMARY OF H. R. 5702

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Apr. 5, 1965	House passed H. R. 5702 under suspension of the rules.
Apr. 6, 1965	H. R. 5702 was referred to the Senate Commerce Committee. Print of bill as referred.
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Apr. 30, 1965	Senate committee reported H. R. 5702 without amendment. S. Report 174. Print of bill and report.
May 3, 1965	Senate passed H. R. 5702 without amendment.
May 15, 1965	Approved: Public Law 89-20.

DIGEST OF PUBLIC LAW 89-20

EXTENSION OF THE NATIONAL FOOD MARKETING COMMISSION.

Extends for one year, from June 30, 1965 to June 30, 1966, the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress, and provides necessary authorization of appropriations for the Commission.

H. R. 5702

IN THE HOUSE OF REPRESENTATIVES

MARCH 2, 1965

Mr. COOLEY introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To extend for one year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriations for such Commission.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) section 4 (b) of Public Law 88-354, approved
4 July 3, 1964 (78 Stat. 270), is amended by striking out
5 the figures "1965," and inserting in lieu thereof the figures
6 "1966".

7 (b) Section 7 of such Act (78 Stat. 272) is amended by
8 striking out the figures "\$1,500,000," and inserting in lieu
9 thereof the figures "\$2,500,000",

89TH CONGRESS
1ST Session

H. R. 5702

A BILL

To extend for one year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriations for such Commission.

By Mr. COOLEY

MARCH 2, 1965

Referred to the Committee on Agriculture

S. 1555

IN THE SENATE OF THE UNITED STATES

MARCH 17, 1965

Mr. MAGNUSON (for himself, Mr. McGEE, Mr. HART, Mr. MORTON, and Mr. HRUSKA) (by request) introduced the following bill; which was read twice and referred to the Committee on Commerce

A BILL

To extend for one year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriations for such Commission.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) section 4 (b) of Public Law 88-354, approved
4 July 3, 1964 (78 Stat. 270), is amended by striking out the
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A BILL

To extend for one year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriations for such Commission.

By Mr. MAGNUSON, Mr. MCGEE, Mr. HART, Mr.
MORTON, and Mr. HRUSKA

MARCH 17, 1965

Read twice and referred to the Committee on
Commerce

AMENDMENT OF NATURAL GAS ACT WITH RESPECT TO IMPORTATION AND EXPORTATION OF NATURAL GAS

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Natural Gas Act with respect to the importation and exportation of natural gas. I ask unanimous consent that a letter from the Chairman of the Federal Power Commission, requesting the proposed legislation, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 1552) to amend the Natural Gas Act with respect to the importation and exportation of natural gas, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter, presented by Mr. MAGNUSON, is as follows:

FEDERAL POWER COMMISSION,
Washington, D.C., February 24, 1965.
The Honorable HUBERT H. HUMPHREY,
President, U.S. Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is transmitted herewith for the consideration of the appropriate committee 20 copies of a draft bill which would amend section 2(7) of the Natural Gas Act to enlarge the definition of "interstate commerce" to include commerce across the international boundaries of the country. The effect would be to give the Commission the same control over the transportation and sale of natural gas in foreign commerce as it now has over transportation and sale in interstate commerce. Bills incorporating this recommendation were introduced into the 88th Congress (S. 1844 and H.R. 7286).

Section 1 of the Natural Gas Act declares that Federal regulation of the transportation and sale of natural gas in both interstate and foreign commerce is necessary in the public interest; and, section 3 of the act provides that Commission approval is required for any export of gas to a foreign country as well as for imports into this country. However, a 1948 decision of the Court of Appeals for the District of Columbia, *Border Pipeline Co. v. Federal Power Commission*, 171 F. 2d 149, held that the Commission did not have certification jurisdiction over the construction of pipeline facilities to be used to export natural gas. The present authority to approve exports and imports clearly does not give the Commission the degree of control over rates and the construction of facilities which would exist if sections 4, 5, and 7 of the act were applicable to such transactions.

There are compelling reasons for closing this gap in the Commission's jurisdiction. Natural gas import and export transactions with Canada and Mexico are increasing. These transactions substantially affect the gas supply for the interstate markets. The facilities and services of the importing and exporting companies are important elements of the natural gas industry, and can be effectively regulated only by Federal action coordinated with Federal regulation of the interstate movement and sale of natural gas within the United States.

Both foreign and interstate commerce in natural gas affect the public interest. Accordingly, we ask the Congress to amend the Natural Gas Act so that the same degree of regulatory control applies to foreign commerce in natural gas as presently applies to

its interstate transportation and sale for resale.

Respectfully,

JOSEPH C. SWIDLER,
Chairman.

AMENDMENT OF NATURAL GAS ACT, RELATING TO SAFETY REQUIRE- MENTS FOR NATURAL GAS COM- PANIES

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Natural Gas Act to authorize the Federal Power Commission to prescribe safety requirements for natural gas companies. I ask unanimous consent that a letter from the Chairman of the Federal Power Commission, requesting the proposed legislation, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 1553) to amend the Natural Gas Act to authorize the Federal Power Commission to prescribe safety requirements for natural gas companies, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter, presented by Mr. MAGNUSON, is as follows:

FEDERAL POWER COMMISSION,
Washington, D.C., February 24, 1965.
The Honorable HUBERT H. HUMPHREY,
President, U.S. Senate, Washington, D.C.

DEAR MR. PRESIDENT: I transmit herewith for the consideration of the appropriate committee 20 copies of a draft bill to amend section 7 of the Natural Gas Act by adding a new subsection authorizing the Commission to prescribe safety standards for the construction and operation of interstate natural gas pipelines. Similar bills were before the 87th Congress (S. 1600; H.R. 6960).

During the past 15 years the natural gas industry has built thousands of miles of large-diameter pipeline. Much of this mileage operates under pressures of 800 pounds or more per square inch, is in populated areas, and could constitute a threat to public safety unless constructed and maintained in accordance with high standards of safety.

The present proposal does not suggest that the industry is not adequately discharging its obligation to protect the public against the dangers inherent in the operation of natural gas pipelines. Indeed, the self-interest of the pipeline companies, as well as their obligation to the public, has made safety in operation a matter of importance for them. The industry's safety record to date is a good one. Unfortunately, however, because of the diversity of State action or inaction, there are no uniform standards. A number of States have adopted rules or regulations applying the code of the American Standards Association, some with modifications, but the majority of the States have not provided for any comprehensive safety regulation of the high-pressure pipelines.

The Natural Gas Act is silent on the matter of conferring safety jurisdiction on the Commission, in contrast to the regulatory statutes governing a number of other regulated industries, such as civil aviation, rail and motor carriage, and atomic energy. These statutes, like the Natural Gas Act, authorize agency certification or licensing of operations, but also deal specifically with safety considerations. With the enormous growth of the interstate network of pipelines

since adoption of the Natural Gas Act in 1938, and in the absence of adequate and uniform State laws, every practicable step should now be taken by the Federal Government to protect the public from the inherent dangers associated with high-pressure pipelines.

Under the proposed authorization, the Commission would be in a position to prescribe a uniform, mandatory safety code for the interstate pipelines. In this regard, the setting of standards is the primary and immediate object of the legislation. The legislation and the contemplated regulations do not propose to displace or alter the primary obligation devolving upon each operator to provide for the protection of the public. Furthermore, the Commission is not seeking inspection and policing authority, a task which would involve considerable additional personnel and money. It is the Commission's belief that the pipeline companies have acted responsibly in matters of safety, and that the use of simple reporting requirements should produce an adequate check on compliance with the Federal standards which would be adopted.

For the foregoing reasons, the Commission urges enactment of the draft bill.

Commissioner O'Connor has asked me to note his opposition to the proposed legislation on the grounds that it is not needed and, in enacted, might do harm to the voluntary industrial safety program. In his view, the interstate gas transmission companies have achieved a splendid safety record without governmental direction by continuing voluntary research in the safety field. He believes that governmental entry into the field would not only tend to reduce the incentive for voluntary industry research but would put the Commission in the role of a safety endorser—a role he feels it cannot realistically fulfill without Federal inspection and enforcement.

Respectfully,

JOSEPH C. SWIDLER,
Chairman.

AMENDMENT OF SUBSECTION (b) OF SECTION 214 AND SUBSECTION (c) (1) OF SECTION 222 OF COM- MUNICATIONS ACT OF 1934

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend subsection (b) of section 214 and subsection (c) (1) of section 222 of the Communications Act of 1934, as amended, in order to substitute the Secretary of Defense—rather than the Secretaries of the Army and the Navy—as the person entitled to receive official notice of the filing of certain applications in the common carrier service. I ask unanimous consent that a letter from the Chairman of the Federal Communications Commission, requesting the proposed legislation, together with an explanation of the proposed legislation, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter and explanation will be printed in the RECORD.

The bill (S. 1554) to amend subsection (b) of section 214 and subsection (c) (1) of section 222 of the Communications Act of 1934, as amended, in order to substitute the Secretary of Defense—rather than the Secretaries of the Army and the

Navy—as the person entitled to receive official notice of the filing of certain applications in the common carrier service, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and explanation, presented by Mr. MAGNUSON, are as follows:

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D.C., March 5, 1965.

The VICE PRESIDENT,
U.S. Senate,
Washington, D.C.

DEAR MR. VICE PRESIDENT: The Commission has adopted as a part of its legislative program for the 89th Congress a proposal to amend section 214 and section 222 of the Communications Act of 1934, in order to substitute the Secretary of Defense (rather than the Secretaries of the Army and Navy) as the person entitled to receive official notice of the filing of certain applications in the common carrier service.

The Commission's draft bill to accomplish the foregoing objective was submitted to the Bureau of the Budget for its consideration. We have now been advised by that Bureau that from the standpoint of the administration's program there would be no objection to the presentation of the draft bill to the Congress for its consideration. Accordingly, there are enclosed six copies of our draft bill and explanatory statement on this subject.

The consideration by the Senate of the proposed amendment to the Communications Act of 1934 would be greatly appreciated. The Commission would be most happy to furnish any additional information that may be desired by the Senate or by the committee to which this proposal is referred.

Yours sincerely,

E. WILLIAM HENRY,
Chairman.

EXPLANATION OF THE PROPOSED AMENDMENT TO SECTION 214 AND SECTION 222 OF THE COMMUNICATIONS ACT OF 1933, AS AMENDED, IN ORDER TO SUBSTITUTE THE SECRETARY OF DEFENSE (RATHER THAN THE SECRETARIES OF THE ARMY AND NAVY) AS THE PERSON ENTITLED TO RECEIVE OFFICIAL NOTICE OF THE FILING OF CERTAIN APPLICATIONS IN THE COMMON CARRIER SERVICE

By the Commission:

This legislative proposal would amend sections 214(b) and 222(c) (1) of the Communications Act of 1934, as amended, to substitute the Secretary of Defense (rather than the Secretaries of the Army and Navy) as the person entitled to receive official notice of the filing of certain applications.

Presently, when a common carrier wishes to extend its lines or to discontinue or curtail existing common carrier services, it must file an application for permission to do so. Section 214(b) of the Communications Act provides that among those entitled to receive official notice of the filing of such an application are the Secretary of the Army and the Secretary of the Navy. A similar provision for official service is contained in section 222(c) (1), in cases of consolidations and mergers.

With a view to eliminating unnecessary paperwork, the Commission proposes that sections 214(b) and 222(c) (1) of the Communications Act of 1934, as amended, be amended to provide for official notice to the Secretary of Defense and to delete "Secretary of the Army" and "Secretary of the Navy" where those titles appear in such sections. Experience has proved that while copies of applications have been sent to the Departments of the Army, Navy, and Air Force, as well as the Secretary of Defense, the Department of Defense is the agency that makes the required reply in the vast majority of cases.

Limiting official notice to the Department of Defense in such cases should provide ade-

quate notice to the military and, at the same time, eliminate unnecessary administrative work.

Adopted: October 28, 1964.

EXTENSION OF TIME FOR REPORT BY NATIONAL COMMISSION ON FOOD MARKETING

Mr. MAGNUSON. Mr. President, I introduce for appropriate reference a bill to extend for 1 year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress, and to increase the authorization of appropriations for the Commission, together with the letter of transmittal from Commission Chairman Phil Sheridan Gibson.

I am pleased to announce that the bill is cosponsored by each of the Senate members of the Commission: the Senator from Wyoming [Mr. MCGEE], the Senator from Michigan [Mr. HART], the Senator from Kentucky [Mr. MORTON], and the Senator from Nebraska [Mr. HRUSKA].

In extending the life of the Commission to July 1, 1966, with a total authorization of \$2,500,000, the bill conforms to the President's original proposal submitted to Congress April 1, 1964, and passed by the Senate May 18, 1964.

In order to get the Commission study underway without unnecessary delay, the Senate subsequently concurred in House amendments limiting the authorization to 1 year and \$1.5 million, with the understanding that an additional 1 year extension would be sought during this session of Congress.

The Commission's mandate is so broad, its responsibility so great, its many tasks so complex that no one has doubted the need for a full 2-year period to do the job properly.

With the selection of an able executive director, a chief counsel, and a distinguished supporting staff, the Commission's studies and investigations are now proceeding with dispatch.

The first Commission hearing will be held in Cheyenne, Wyo., on April 1, 2, and 3.

At that hearing the Commission will look into buying and selling practices in markets for cattle and lambs as well as feedlot operations of packers. The same subjects will be the focus of hearings in Fort Worth, Tex., later that month on April 22, 23, and 24.

Another hearing has been scheduled for May 5, 6, 7, and 8 in Washington, D.C., to try to determine why there has been an increase in retail food margins—the gross profit on all items sold in supermarkets—in the past 10 years. Other hearings in process of being scheduled will have to do with various commodities, such as poultry and eggs, fruits, and vegetables, cereals, and cereal products, already under study by the staff of the Commission.

The Commission wants to find out what is happening to the number and size of firms in each major segment of the food industry and whether business is becoming more or less concentrated in the hands of a few. We are also attempting to determine how much the successive steps in processing and dis-

tribution are being integrated under the control of the same management. At the same time, we are trying to ascertain why such changes are taking place so that, in addition to evaluating if such changes are desirable, we can also predict future developments in the food industry.

To make these evaluations and predictions based on facts, the Commission must look into such things as economies of operation, promotion, ability to influence prices and other factors leading to "bigness" and vertical integration in the marketplace. At the retailing level, for instance, such specific subjects as retailers' versus manufacturers' brands; price policies, including specials and loss leaders; promotional activities; consumer services; how difficult or easy it is for new firms to enter the business and compete; costs, margins, and profits will all get a thorough survey. When it comes to the processing and distribution of foods prior to retailing, the Commission work will be handled according to major commodity groupings.

In meats and livestock, attention will be directed to the sale of meat by packers to wholesalers and large retailers. Practices of buyers and sellers will be studied from the standpoint of efficiency of distribution, fairness of competition, manner of price determination, product differentiation, and relative bargaining power of participants. Livestock markets and feedlot operations of packers will be similarly examined.

Work in the poultry industry will emphasize the economic and technological effects of vertical integration from feed manufacturers and hatcheries to sale of final products.

In fruits and vegetables special attention will be directed to producer contracts, growers' bargaining efforts, and marketing orders.

Studies of bakery and cereal products will go into the structural problems in long-established areas, such as baking, as well as new products, new processes, and product differentiation in dry cereal products and prepared foods.

In the dairy industry, great attention will be given to mergers, marketing orders, and retail distribution by dealers.

The Commission will look into the price spread between the farmer and the consumer to try to ascertain what percentages of what labor costs, advertising, containers, transportation, profits, and so forth, are responsible for the spread.

One of our main goals is to determine whether costs are based on efficient processing and distribution, and whether price spreads are generally in line with necessary costs and reasonable profits.

Regulatory activities of Government will also be studied by the Commission's legal staff.

We must make it possible for the Commission to complete its study of our Nation's largest industry by granting it the time and funds it needs to do this job.

I ask unanimous consent that the Commission's letter of transmittal be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter

of transmittal will be printed in the RECORD.

The bill (S. 1555) to extend for 1 year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriations for such Commission, introduced by Mr. MAGNUSON (for himself and other Senators) (by request), was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. MAGNUSON is as follows:

NATIONAL COMMISSION ON
FOOD MARKETING,
Washington, D.C., February 19, 1965.

HON. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Transmitted herewith for consideration of the Congress is a draft bill, "To extend for 1 year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriations for such Commission."

On April 1, 1964, the President transmitted a draft bill to the Congress which would establish a bipartisan Commission to study and appraise the marketing structure of the American food industry. A 2-year study was contemplated, with a reporting date of July 1, 1966, and a total authorization of \$2,500,000. Subsequently, legislation was enacted establishing the National Commission on Food Marketing (Public Law 88-354, July 3, 1964). This legislation established a reporting date of July 1, 1965, and authorized \$1,500,000 for the study.

The draft bill would extend the final reporting date of the Commission to July 1, 1966, and increase the authorization for the study to a total of \$2,500,000, as originally proposed. This authorization level covers the fiscal year 1965 appropriation, the fiscal year 1966 budget request, and a small amount in fiscal year 1967 for printing and "cleanup" expenses during the 90 days provided for terminating the affairs of the Commission.

The magnitude and complexity of the food industry make the charge given to the Commission a most difficult and challenging one. Although the establishment of the Commission was authorized in July 1964, an appropriation was not enacted until October 1964, so that several valuable months were lost before planning and staffing could be undertaken. The study is now well underway. A competent, objective staff has been assembled and several hearings have been announced. With a 1-year extension we are confident that we can provide the President and the Congress with a perceptive analysis of the changing structure of the food industry and will be able to provide guidelines for the maintenance of an efficient and competitive industry in the future. Without an extension it will be impossible, of course, to complete our study and fulfill the objectives of the legislation.

A similar letter is being sent to the Speaker of the House.

The Bureau of the Budget advises that the enactment of this proposed legislation would be in accord with the President's program.

Sincerely yours,

PHIL S. GIBSON,
Chairman.

PROPOSED LEGISLATION RELATING TO THE FEDERAL RESERVE BOARD

MR. ROBERTSON. Mr. President, I am introducing, by request, three bills

transmitted to me by the Federal Reserve Board. I ask unanimous consent that the three letters of transmittal and copies of the bills be printed in the RECORD at this point.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills and letters will be printed in the RECORD.

The bills, introduced by Mr. ROBERTSON, by request, were received, read twice by their titles, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 1556. A bill to authorize the Board of Governors of the Federal Reserve System to delegate certain of its functions, and for other purposes.

S. 1556

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 11 of the Federal Reserve Act (12 U.S.C. 248) is amended by adding after subsection (j) the following subsection:

"(k) To delegate, by published order or rule and subject to the Administrative Procedure Act, any of its functions, other than those relating to rulemaking or pertaining principally to monetary and credit policies, to one or more hearing examiners, members or employees of the Board, or Federal Reserve Banks. The assignment of responsibility for the performance of any function that the Board determines to delegate shall be a function of the Chairman. The Board shall, upon the vote of one member, review action taken at a delegated level within such time and in such manner as the Board shall by rule prescribe."

The letter accompanying Senate bill 1556 is as follows:

BOARD OF GOVERNORS,
FEDERAL RESERVE SYSTEM,
Washington, March 15, 1965.

The Honorable A. WILLIS ROBERTSON,
Chairman, Committee on Banking and
Currency, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: In recent years, the responsibilities and tasks of the Board of Governors have substantially increased both in determining monetary and credit policies and in the field of bank supervision.

The efficient and expeditious performance of these important functions could be seriously impaired in the absence of authority on the part of the Board to delegate certain types of bank supervisory functions that now must be performed by the Board itself in all cases. For example, the Board must, under present law, pass upon each investment in bank premises by a member State bank if such investment would exceed the amount of its capital stock.

Other Federal regulatory agencies now have more or less unlimited authority to delegate their functions pursuant to provisions of statute or reorganization plans. The Board considers that the Federal Reserve Act should be amended to provide the Board with similar authority.

A draft of a bill for this purpose is enclosed. It would authorize delegation of the Board's functions to members or employees of the Board or to the Federal Reserve banks, but would expressly preclude delegation of those functions relating to rulemaking and monetary and credit policies. Under the bill, the Chairman of the Board would assign responsibility for the performance of particular delegated functions. A provision requiring Board review of action taken at a delegated level, at the instance of any one member, would (1) assure any party adversely affected by such action of a means of administrative appeal and (2) provide the Board with an effective means for review and control of actions at the delegated level.

It would not be anticipated that the Board

would delegate its more important functions. On the contrary, it is envisioned that only relatively minor functions would be delegated at the outset and that determinations whether to make further delegations would be made in the light of experience.

The Board urges that this proposal be given favorable consideration by your committee and by the Congress.

Sincerely yours,

WM. MCC. MARTIN, JR.

S. 1557. A bill to amend the Federal Reserve Act to enable Federal reserve banks to invest in certain obligations of foreign governments.

S. 1557

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of subsection (e) of section 14 of the Federal Reserve Act (12 U.S.C. 358) is amended to read as follows:

"(e) To establish accounts with other Federal Reserve banks for exchange purposes and, with the consent or upon the order and direction of the Board of Governors of the Federal Reserve System and under regulations to be prescribed by said Board, to open and maintain accounts in foreign countries, appoint correspondents, and establish agencies in such countries wheresoever it may be deemed best for the purpose of purchasing, selling, and collecting bills of exchange, and to buy and sell, with or without its endorsement, through such correspondents or agencies, bills of exchange (or acceptance) arising out of actual commercial transactions which have not more than ninety days to run, exclusive of days of grace, and which bear the signature of two or more responsible parties, and to buy and sell any securities which are direct obligations of, or fully guaranteed as to principal and interest by, any foreign government or monetary authority, and which have maturities from date of purchase not exceeding twelve months and are denominated payable in any convertible currency; and, with the consent of the Board of Governors of the Federal Reserve System, to open and maintain banking accounts for such foreign correspondents or agencies, or for foreign banks or bankers, or for foreign states as defined in section 25(b) of this Act."

The letter accompanying Senate bill 1557 is as follows:

BOARD OF GOVERNORS,
FEDERAL RESERVE SYSTEM,
Washington, March 15, 1965.

The Honorable A. WILLIS ROBERTSON,
Chairman, Committee on Banking and
Currency, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Since February 1962, the Federal Reserve Bank of New York has engaged in foreign currency operations on behalf of the System Open Market Account and under directions of the Federal Open Market Committee. These operations have been encouragingly successful in accomplishing their basic purposes; i.e., the avoidance of disorderly conditions in international exchange markets, the furtherance of monetary cooperation with central banks of other countries maintaining convertible currencies, the moderation of temporary imbalances in international payments, and, in net effect, the safeguarding of the value of the dollar in international exchange markets.

These operations have been implemented by the establishment of reciprocal credit balances or "swap" arrangements between the New York Reserve Bank and foreign central banks. The authorization and guidelines for foreign currency operations adopted by the Federal Open Market Committee require that the New York Reserve Bank instruct foreign central banks with which it maintains accounts regarding the investment of amounts in excess of minimum working bal-

ances in accordance with the provisions of section 14(e) of the Federal Reserve Act.

Under section 14(e), idle amounts held by the Reserve bank in an account with a foreign bank may be invested in bills of exchange and acceptances that arise out of actual commercial transactions and have maturities of not more than 90 days, or they may be placed in an interest-bearing time account with the same or some other foreign bank. However, in certain instances there has been a scarcity of such paper for investment, time deposit facilities have not always been conveniently available, and, under present law, such idle funds could not be invested in obligations of foreign governments, such as foreign treasury bills. On the other hand, a foreign central bank having a balance or reciprocal credit or "swap" arrangements with the Federal Reserve Bank of New York may invest idle funds in its account with the Reserve bank in interest-bearing U.S. securities.

The disadvantage in this respect under which a Reserve bank must operate has handicapped the smooth operation of the foreign currency program. The situation would be remedied by an amendment to section 14(e) of the Federal Reserve Act that would specifically authorize a Federal Reserve bank to buy and sell securities with maturities not exceeding 12 months that are issued or guaranteed by foreign governments.

The Board recommends the enactment of such an amendment to the law. A suggested draft of a bill for this purpose is enclosed.

Sincerely yours,

WM. MCC. MARTIN, Jr.

S. 1558. A bill to amend section 22(g) of the Federal Reserve Act relating to loans to executive officers by member banks of the Federal Reserve System, and for other purposes.

S. 1558

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (g) of section 22 of the Federal Reserve Act (12 U.S.C. 375a) is amended by striking out the first two sentences thereof and inserting in lieu thereof the following:

"(g) No executive officer of any member bank shall borrow from or otherwise become indebted to any member bank of which he is an executive officer, and no member bank shall make any loan or extend credit in any other manner to any of its own executive officers: *Provided*, That any member bank may extend credit, on terms not more favorable than those extended to other borrowers, to any executive officer thereof, and such officer may become indebted thereto in an amount not exceeding \$5,000, or, in the case of a first mortgage loan on a home owned and occupied or to be owned and occupied by such officer, in an amount not exceeding \$30,000, but any such indebtedness shall be promptly reported by such officer to the board of directors of the bank of which he is an officer. If any executive officer of any member bank borrows from or if he be or become indebted to any other bank or banks in an aggregate amount exceeding that which he could lawfully borrow from the member bank of which he is an executive officer under this section, he shall make a written report to the board of directors of such member bank, stating the date and amount of such loan or loans or indebtedness, the security therefor, and the purpose for which the proceeds have been or are to be used."

The letter accompanying Senate bill 1558 is as follows:

BOARD OF GOVERNORS,
FEDERAL RESERVE SYSTEM,
Washington, March 15, 1965.

The Honorable A. WILLIS ROBERTSON,
Chairman, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The Board of Governors wishes to recommend certain amendments to the provisions of section 22(g) of the Federal Reserve Act regarding loans by member banks of the Federal Reserve System to their executive officers.

These provisions presently prohibit a member bank from making loans to any of its executive officers, except in an amount not exceeding \$2,500 and then only with the prior approval of a majority of the bank's board of directors. In addition, an executive officer is required to make a written report to his bank with respect to any loan obtained by him from any other bank.

The Board believes that these restrictions, first enacted in 1933, are unrealistically severe in the light of changed economic conditions and that they should be liberalized.

In 1956, in connection with the then proposed Financial Institutions Act, the Board recommended that the \$2,500 exemption be increased to \$5,000. This change was included in that bill as it passed the Senate in 1957; and the bill would have also relieved executive officers from the burden of reporting borrowings from other banks where they would not exceed \$15,000 in the case of home mortgage loans or \$5,000 in the case of other loans. The Report of the President's Committee on Financial Institutions in April 1963 recognized the desirability of increasing the \$2,500 ceiling on the amount an executive officer may borrow from his bank.

The underlying purpose of restrictions on loans by member banks to their executive officers is unquestionably sound. However, the Board believes that some liberalization of these restrictions would not be contrary to the public interest. In addition to an increase in the basic ceiling on exempted loans, the law should provide a special exemption with respect to mortgage loans covering the purchase of an executive officers home.

Accordingly, the Board recommends (1) that an executive officer of a member bank be permitted to borrow from his own bank up to \$5,000, or, in the case of home mortgage loans, up to \$30,000; (2) that, in lieu of the present requirement for prior approval by the bank's board of directors with respect to exempted borrowings by an executive officer from his own bank, the officer be required to report any such borrowings to the board of directors; and (3) that reports as to borrowings from other banks be required only where they would exceed in the aggregate the amount an executive officer could borrow from his own bank. In connection with these changes, certain obsolete provisions of the law should be repealed.

To preclude favoritism, these changes should be accompanied by a requirement that any loan to a bank's executive officer shall be made on terms not more favorable than those extended to other borrowers.

There is enclosed a draft of a bill that would amend section 22(g) of the Federal Reserve Act along the lines above described. The Board urges favorable consideration of such a bill by your committee and by the Congress.

Sincerely yours,

WM. MCC. MARTIN, Jr.

FEDERAL RESERVE SYSTEM ELIGIBLE PAPER

Mr. ROBERTSON. Mr. President, I am introducing, by request, a bill on the

subject of eligible paper proposed by the Federal Reserve Board, which I understand is the same form as S. 2076 of the 88th Congress.

I ask unanimous consent that the Board's letter of transmittal and the Board's explanation of the bill be printed in the Record at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter and explanation will be printed in the Record.

The bill (S. 1558) to amend the Federal Reserve Act in order to enable the Federal Reserve banks to extend credit to member banks and others in accordance with current economic conditions, and for other purposes, introduced by Mr. ROBERTSON, by request, was received, read twice by its title, and referred to the Committee on Banking and Currency.

The letter and explanation presented by Mr. ROBERTSON are as follows:

BOARD OF GOVERNORS,
FEDERAL RESERVE SYSTEM,
Washington, March 15, 1965.

Hon. A. WILLIS ROBERTSON,
Chairman, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The Board of Governors again wishes to recommend legislation that would permit member banks of the Federal Reserve System to borrow from the Federal Reserve banks on the security of any sound assets without paying a "penalty" rate of interest. This legislation would replace present provisions of the Federal Reserve Act that permit borrowings without a penalty interest rate only on the security of Government obligations or paper that meets certain outmoded "eligibility" requirements. These restrictive provisions should be amended so as to facilitate rather than penalize efforts by banks to meet the public's changing credit needs.

The original Federal Reserve Act authorized the Reserve banks to discount only certain types of paper arising out of "actual" commercial or agricultural transactions, subject to specified maturity limitations. The concept underlying this limited authority was that the liquidity of commercial banks could be assured only if the loans made by them were short term and self-liquidating in character. Related to this concept was the assumption that the pledging of such discounted paper by the Reserve banks as security for the issuance of Federal Reserve notes would serve as the basis for an elastic currency; it was expected that the volume of currency would expand and contract directly in response to the varying credit needs of the economy, as reflected by the volume of short-term borrowing by commercial and agricultural enterprises.

The principle that Federal Reserve credit should be extended only on the basis of short-term, self-liquidating paper was departed from as early as 1916, during the First World War, when the law was amended to authorize the Reserve banks to make 15-day advances to member banks, not only on the security of "eligible paper" but also on the security of direct obligations of the United States. A more significant departure occurred in 1932, when Congress authorized the Reserve banks to make advances to member banks in exceptional and unusual circumstances on any security satisfactory to the Reserve banks, although at a penalty rate of interest. This authority, at first

March 25, 1965

29. YOUTH CORPS. Rep. Cabell protested action of the Labor Dept. in "setting a minimum wage of \$1.25 per hour for educational trainees in the Youth Corps." pp. 5836-7
30. MAPLE SYRUP. Rep. Todd commended the results of a research program to improve the quality and reduce the cost of producing maple syrup and urged continuance of this program. p. 5837
31. HOUSING. Rep. Widnall spoke in favor of his housing and urban renewal bill and inserted a "Section-by-Section Analysis of the Housing and Redevelopment Act of 1965." pp. 5848-53
Rep. Patman spoke in favor of his housing and urban renewal bill, inserted his remarks before the Housing Subcommittee hearing and stated that "it is also our obligation to make certain that there is an adequate money supply available at reasonable interest rates to take advantage of any new dynamic program." pp. 5859-61
32. FARM PROGRAM. Rep. Hansen commended and inserted the results of a survey conducted to spotlight and emphasize the problems of the rural economy and recommend necessary measures to legislative groups. p. 5883-4
33. FISHERIES. Received an Alaska Legislature memorial "requesting full appropriation support for the commercial Fisheries Research and Development Act of 1964." p. 5889
34. FOOD MARKETING. The Agriculture Committee voted to report (but did not actually report) H. R. 5702, to extend for one year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriations for such Commission. pp. D228-9
35. WATER RESOURCES. The "Daily Digest" states that the Rules Committee "Granted an open rule, with 1 hour of debate, on H. R. 1111, regarding the Water Resources Planning Act." p. D230
36. MANPOWER. The "Daily Digest" states that the Rules Committee "Granted an open rule, with 2 hours of debate, on H. R. 4257, regarding the Manpower Act of 1965." p. D230
37. EDUCATION. Continued debate on H. R. 2362, the proposed Elementary and Secondary Education Act of 1965. pp. 5771-5835, 5837
38. BALANCE OF PAYMENTS. Rep. Curtis stated that he believed "market-determined interest rates in the United States would help to keep funds at home, and, perhaps, even draw foreign funds into our country. This would mean a significant improvement in our balance of payments." pp. 5853-4

ITEMS IN APPENDIX

39. FARM LABOR. Extension of remarks of Rep. Todd criticizing the farm labor policies of the Labor Department and stating that "Michigan pickle growers are still in a pickle." p. A1396

40. GRANTS-IN-AID. Extension of remarks of Sen. Mundt stating that "I have been much concerned about Federal-State relations, and particularly with regard to Federal controls over the States which have accompanied Federal grant-in-aid programs", and inserting an address on this subject. pp. A1396-8
41. FOREIGN TRADE. Sen. Inouye inserted an article as an example of how the citizens of Hawaii are meeting the economic needs with respect to the balance-of payments problem. pp. A1402-3
42. RECREATION; RECLAMATION. Extension of remarks of Rep. Aspinall defending Interior Dept. against criticism that they are the spoilers of natural resources when creating certain recreational areas. pp. A1403-4
43. WHEAT. Sen. Mundt inserted an address by Andrew Brakke, chairman of the board of Great Plains Wheat, Inc., outlining the objectives and accomplishments of the organization. pp. A1407-8
44. FARM POLICIES. Sen. Metcalf inserted John Kenneth Galbraith's address before the annual meeting of the National Farmers Union in which he stated that "the dominant urban impression of the American farmer is that of a high-level grafter with a firm grasp on the public teat. This isn't especially good news but it is the truth." pp. A1409-11

BILL APPROVED BY THE PRESIDENT

45. INTER-AMERICAN DEVELOPMENT BANK. H. R. 45, authorizing the U. S. to participate in an increase of \$750 million in the resources of the Fund for Special Operations of the Inter-American Development Bank. Approved March 24, 1965 (Public Law 89-6).

COMMITTEE PRINT RECEIVED IN THIS OFFICE

46. ECONOMICS. 1964 Supplement to Economic Indicators, historical and descriptive background, prepared for the Subcommittee on Economic Statistics of the Joint Economic Committee by the Committee Staff and the Office of Statistical Standards, Bureau of the Budget.

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE

Washington, D. C. 20250

Official Business

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OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued March 29, 1965

For actions of March 26, 1965

89th-1st; No. 55

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HIGHLIGHTS: House committee reported USDA administrative omnibus bill and bill to extend date for final report of Commission on Food Marketing. House Rules Committee cleared water resources planning bill. Rep. Findley criticized cotton program. Rep. Cooley expressed opposition to, and Reps. Callan and Redlin inserted articles opposing, proposed user charge on SCS technical assistance

HOUSE

1. ADMINISTRATIVE PROVISIONS; OMNIBUS BILL. The Agriculture Committee reported without amendment H. R. 5508, to facilitate the work of this Department (H. Rept. 206) (p. 5965). See Digest 35 for a summary of the provisions of the bill.
2. FOOD MARKETING. The Agriculture Committee reported without amendment H.R. 5702, to extend for one year (until July 1, 1966) the date on which the National Commission on Food marketing shall make a final report to the President and to the Congress and to authorize \$1 million additional for the work of the Commission (H. Rept. 207). p 5965

Commission on Food marketing shall make a final report to the President and to the Congress and to authorize \$1 million additional for the work of the Commission (H. Rept. 207). p. 5965

3. WATER RESOURCES. The Rules Committee reported a resolution for consideration of H.R. 1111, to provide for the optimum development of natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning. p. 5966
4. MANPOWER. The Rules Committee reported a resolution for consideration of H.R. 4257, to amend and extend the Manpower Development and Training Act to June 30, 1968. p. 5965
5. EDUCATION. By a vote of 263 to 153, passed with amendments H.R. 2362, the proposed Elementary and Secondary Education Act of 1965 (pp. 5893-5944, 5945-6, 5962). By a vote of 149 to 267, rejected a motion by Rep. Goodell to recommit the bill to the Education and Labor Committee (pp. 5942-3). The bill extends for two years, until June 30, 1968, authorization for Federal assistance to schools in federally impacted areas.
6. FARM LABOR. Rep. Gonzalez criticized the condition of labor camps used under the former Mexican farm labor program and inserted an article stating that Secretary of Labor Wirtz was critical of conditions in the camps. pp. 5956-7
7. FORESTRY. Rep. Olsen criticized the exportation of logs to Japan "while American mills lay off workers because logs are in short supply." and stated that he intended to introduce legislation to control the exportation of logs. pp. 5963-4
8. GRAIN. Received a S. Dak. Legislature resolution "relative to legislation to provide for an increase in the disposal price of grain being sold to millers of cereal grains to 120 percent of the support price, and to work toward long-term barter contracts with the underfed nations of the world to purchase American grain." p. 5967
9. HOUSING AND URBAN DEVELOPMENT. The "Daily Digest" states that the Subcommittee on Executive and Legislative Reorganization of the Government Operations Committee will begin hearings Apr. 5 on H.R. 6654, to create a Department of Housing and Urban Development. p. D234
10. LEGISLATIVE PROGRAM. Rep. Albert announced the legislative program as follows: Tues.: Interior appropriation bill (includes Forest Service); Wed.: water resources planning bill; and Thurs.: manpower development and training bill. p. 5944
11. ADJOURNED until Mon., Mar. 29. p. 5965

SENATE

12. REGIONAL DEVELOPMENT. The "Daily Digest" states that the President's message recommending a program of area and regional economic development in distressed area was received Mar. 25 and referred to the Banking and Currency Committee (H. Doc. 126)(p. D232). See Digest 54 for items of interest.

EXTENSION OF NATIONAL COMMISSION ON FOOD MARKETING

MARCH 26, 1965.—Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed

Mr. COOLEY, from the Committee on Agriculture, submitted the
following

REPORT

[To accompany H.R. 5702]

The Committee on Agriculture, to whom was referred the bill (H.R. 5702) to extend for 1 year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriations for such Commission, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

The purpose of this bill is to extend for 1 year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriation for the Commission. The Commission was authorized by an act of Congress on July 3, 1964, but received no funds until October 7, 1964. Because of the inability of the original Chairman to serve, due to health reasons, the selection of an Executive Director for the Commission was delayed until November 16, 1964. This also delayed the organizational meeting of the Commission which took place on January 7, 1965. It was not until this date that the Commission approved staff appointments and considered the broad outlines of its program. These delays have made it impossible for the Commission to complete its work by July 1, 1965. It was made clear during the hearing by several members of the House Committee on Agriculture that they would oppose any further extension of the life of this Commission and that the Commission should file its report by July 1, 1966, and wind up operations 90 days thereafter.

COST

This bill authorizes the appropriation of an additional \$1 million to cover the expenses of the Commission for the 1-year extension.

EXECUTIVE COMMUNICATION

The bill, H.R. 5702, was transmitted to the Speaker by executive communication requesting its enactment. Following is the executive communication from the Chairman of the National Commission on Food Marketing. Also attached is a letter from the Secretary of Agriculture recommending a 1-year extension.

NATIONAL COMMISSION ON FOOD MARKETING,
Washington, D.C., February 19, 1965.

Hon. JOHN W. McCORMACK,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Transmitted herewith for consideration of the Congress is a draft bill, to extend for 1 year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriations for such Commission.

On April 1, 1964, the President transmitted a draft bill to the Congress which would establish a bipartisan Commission to study and appraise the marketing structure of the American food industry. A 2-year study was contemplated, with a reporting date of July 1, 1966, and a total authorization of \$2,500,000. Subsequently, legislation was enacted establishing the National Commission on Food Marketing (Public Law 88-354, July 3, 1964). This legislation established a reporting date of July 1, 1965, and authorized \$1,500,000 for the study.

The draft bill would extend the final reporting date of the Commission to July 1, 1966, and increase the authorization for the study to a total of \$2,500,000, as originally proposed. This authorization level covers the fiscal year 1965 appropriation, the fiscal year 1966 budget request, and a small amount in fiscal year 1967 for printing and "cleanup" expenses during the 90 days provided for terminating the affairs of the Commission.

The magnitude and complexity of the food industry make the charge given to the Commission a most difficult and challenging one. Although the establishment of the Commission was authorized in July 1964, an appropriation was not enacted until October 1964, so that several valuable months were lost before planning and staffing could be undertaken. The study is now well underway. A competent, objective staff has been assembled and several hearings have been announced. With a 1-year extension we are confident that we can provide the President and the Congress with a perceptive analysis of the changing structure of the food industry and will be able to provide guidelines for the maintenance of an efficient and competitive industry in the future. Without an extension it will be impossible, of course, to complete our study and fulfill the objectives of the legislation.

A similar letter is being sent to the President of the Senate.

The Bureau of the Budget advises that the enactment of this proposed legislation would be in accord with the President's program.

Sincerely yours,

PHIL S. GIBSON, *Chairman*.

Enclosure: Draft bill.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., March 24, 1965.

HON. HAROLD D. COOLEY,
Chairman, Committee on Agriculture,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: I am writing to endorse H.R. 5702, to extend the life of the National Commission on Food Marketing for 1 year and increase the total amount of funds authorized to be appropriated.

It is hardly necessary, and would be redundant, to name all the reasons why such legislation should be enacted. The seriousness and complexity of the marketing problems assigned for the Commission's attention, as spelled out in testimony on Senate Joint Resolution 71 a year ago; the promising start that has been made in the Commission's work to date; and the distinguished and forceful membership of the Commission itself—all attest to the need to give the Commission the additional year that would enable it to complete its work.

For the same reasons, the Commission should be granted adequate funds for the purpose. I understand that a figure of \$2½ million has been proposed as appropriation authority for the Commission's entire life. Inasmuch as the strength of the Commission's inquiry lies in its searching out new information and spotlighting very difficult problems, it is highly desirable to provide for the total authorization requested.

I would appreciate your making this a part of the hearing record.

The Bureau of the Budget advises that there is no objection to the presentation of this report and that the enactment of this proposed legislation would be in accord with the President's program.

Sincerely yours,

ORVILLE L. FREEMAN,
Secretary.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, existing law in which no change is proposed is shown in roman):

PUBLIC LAW 88-354 (78 STAT. 269)

* * * * *

SEC. 4. DUTIES OF THE COMMISSION.—(a) The Commission shall study and appraise the marketing structure of the food industry, including the following:

(1) The actual changes, principally in the past two decades, in the various segments of the food industry:

(2) The changes likely to materialize if present trends continue;

(3) The kind of food industry that would assure efficiency of production, assembly, processing, and distribution, provide appropriate

4 EXTENSION OF NATIONAL COMMISSION ON FOOD MARKETING

services to consumers, and yet maintain acceptable competitive alternatives of procurement and sale in all segments of the industry from producer to consumer;

(4) The changes in statutes or public policy, the organization of farming and of food assembly, processing, and distribution, and the interrelationships between segments of the food industry which would be appropriate to achieve a desired distribution of power as well as desired levels of efficiency;

(5) The effectiveness of the services, including the dissemination of market news, and regulatory activities of the Federal Government in terms of present and probable developments in the industry; and

(6) The effect of imported food on United States producers, processors and consumers.

(b) The Commission shall make such interim reports as it deems advisable, and it shall make a final report of its findings and conclusions to the President and to the Congress by July 1, **[1965]** 1966.

* * * * *

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated such sums not in excess of **[\$1,500,000]** \$2,500,000 as may be necessary to carry out the provisions of this joint resolution. Any money appropriated pursuant hereto shall remain available to the Commission until the date of its expiration, as fixed by section 6(e).



89TH CONGRESS
1ST SESSION

H. R. 5702

[Report No. 207]

IN THE HOUSE OF REPRESENTATIVES

MARCH 2, 1965

Mr. COOLEY introduced the following bill; which was referred to the Committee on Agriculture

MARCH 26, 1965

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To extend for one year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriations for such Commission.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) section 4 (b) of Public Law 88-354, approved
4 July 3, 1964 (78 Stat. 270), is amended by striking out
5 the figures "1965," and inserting in lieu thereof the figures
6 "1966".

7 (b) Section 7 of such Act (78 Stat. 272) is amended
8 by striking out the figures "\$1,500,000 " and inserting in
9 lieu thereof the figures "\$2,500,000".

89TH CONGRESS
1ST SESSION

H. R. 5702

[Report No. 207]

A BILL

To extend for one year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriations for such Commission.

By Mr. COOLEY

MARCH 2, 1965

Referred to the Committee on Agriculture

MARCH 26, 1965

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

April 5, 1965

14. LEGISLATIVE PROGRAM. Sen. Mansfield said the military procurement bill is to be considered today, followed by the education bill on Apr. 7. p. 6790

HOUSE

15. ADMINISTRATIVE PROVISIONS; OMNIBUS BILL. Passed without amendment H. R. 5508, to facilitate the work of this Department (pp. 6584-6). See Digest 35 for a summary of the provisions of the bill.
16. FOOD MARKETING. Passed, under suspension of the rules, H. R. 5702, to extend for one year (until July 1, 1966) the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress, and to authorize \$1 million additional for the work of the Commission. pp. 6587-90
17. TREASURY, POST OFFICE, AND EXECUTIVE OFFICE APPROPRIATION ACT, 1966. By a vote of 344 to 7, passed without amendment this bill, H. R. 7060 (pp. 6606-38). The bill includes funds for the Budget Bureau, Council of Economic Advisers, and Advisory Commission on Intergovernmental Relations.
18. SECOND SUPPLEMENTAL APPROPRIATION BILL, 1965. The Appropriations Committee formally reported (on Apr. 2, during adjournment) this bill, H. R. 7091 (p. 6677). See Digest 59, part 2, for a summary of items of interest.
19. FORESTRY. Passed as reported H. R. 398, to permit the exploration, development, utilization, entry, and patent of the mineral resources on approximately 7,178 acres of land in the Gunnison, Rio Grande, San Juan, and White River National Forests in Colorado. pp. 6583-8
At the request of Rep. Cooley, H. R. 6891, to provide for family winter recreational use of a portion of the San Geronio Wilderness Area, San Bernardino National Forest, Calif., was rereferred from the Agriculture Committee to the Interior and Insular Affairs Committee. p. 6587
20. NATIONAL PARKS. The Subcommittee on National Parks and Recreation of the Interior and Insular Affairs Committee voted to report to the full committee with amendment H. R. 500, to provide for the establishment of the Agate Fossile Beds National Monument, Nebr. p. D263
21. MANPOWER DEVELOPMENT AND TRAINING. Conferees were appointed by both Houses on S. 974, to amend and extend the Manpower Development and Training Act of 1962. pp. 6638, 6786-8
22. FARM PROGRAM. Rep. Purcell commended the administration farm bill, particularly the wheat provisions, stating that the voluntary certificate wheat program has been favorably accepted by the farmers, reduced costs and the wheat surplus, and has maintained the income of wheat farmers at a fair level. p. 6676
Rep. Findley criticized the farm bill, particularly the feed grain provisions, stating that the "Secretary could easily get soybeans into the same surplus trouble which has beset corn, wheat, and other major crops for years." p. 6644
23. USER CHARGES; SOIL CONSERVATION. Received a N. Mex. Legislature resolution opposing the proposed user charge on SCS technical service to farmers and ranchers. p. 6679

24. ELECTRIFICATION. Rep. Andrews inserted an editorial urging the Rural Electrification Administration to make a loan for the construction of an electric generating plant in Oliver Co., N. Dak. p. 6647
25. HOUSING AND URBAN DEVELOPMENT. Rep. Widnall compared the provisions of the administration's housing and urban development bill, H. R. 5840, with those of the Republican bill, H. R. 9501. pp. 6645-7
26. PRINTING; INFORMATION. Rep. Berry contended that Government printing plants are competing with private industry and inserted a listing of Federal printing facilities, including one in the Forest Service. p. 6643
27. MINERALS. Received from the President a semi-annual report of the Office of Minerals Exploration, Department of the Interior. p. 6581

ITEMS IN APPENDIX

28. TOBACCO. Extension of remarks of Sen. Cooper inserting the text of a speech he made several years ago, "The Tobacco Program: Why It is Needed--How It is Working." pp. A1625-30
29. FARM LABOR. Extension of remarks of Rep. Talcott criticizing a newspaper editorial, "Goodby to Braceros," and inserting a copy of his reply to the editor mentioning some of the "misleading statements" of the editorial. pp. A1630-1
Extension of remarks of Rep. Gubser inserting and commending an article "concerning the effort of southern Santa Clara County farmers to improve working conditions in order to attract domestic migratory workers" as a replacement for braceros. A1648
30. EDUCATION. Speeches in the House by Reps. Sickles and Gurney during debate on the proposed Elementary and Secondary Education Act of 1965. pp. A1631-2, A1633-4.
31. CONSERVATION. Extension of remarks of Rep. Hansen, Ida., inserting an editorial stating that "Congress should carefully scrutinize the Budget Bureau's recommended reduction...in the appropriations for the...Soil Conservation Service." pp. A1634-5
32. MANPOWER. Speech in the House by Rep. Springer during debate on the proposed Manpower Act of 1965. pp. 1635-6
33. POVERTY. Rep. Griffiths inserted a newspaper article on the poverty program, stating that a new definition of poverty will be announced by OEO based on the cost of living and that "it is expected to raise the poverty line for nonfarm families to \$3,120 and lower it to \$1,850 for farm families." p. A1643
34. WATER. Extension of remarks of Rep. Bolton inserting and commending an article critical of the proposal to build dams above and below the Grand Canyon. p. 1644-5
35. EMPLOYMENT. Rep. Cohelan inserted his recent speech suggesting ways for promoting fair and equal employment opportunities. pp. A1614-5
36. CONSUMERS. Rep. Laird inserted a recent speech by Rep. May expressing concern over proposed legislation affecting consumers, "A Woman Legislator's View on Consumer Protection." pp. A1653-4

The SPEAKER. This concludes the eligible bills on the Consent Calendar.

INCREASE PER DIEM—GRAND AND PETIT JURORS

Mr. ASHMORE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3990) to amend section 1871 of title 28, United States Code, to increase the per diem and subsistence, and limit mileage allowances of grand and petit jurors.

The Clerk read as follows:

H.R. 3990

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1871 of title 28, United States Code, is amended to read as follows:

"§ 1871. Fees.

"Grand and petit jurors in district courts or before United States commissioners shall receive the following fees, except as otherwise expressly provided by law:

"For actual attendance at the place of trial or hearing and for the time necessarily occupied in going to and from such place at the beginning and end of such service or at any time during the same, \$10 per day, except that any juror required to attend more than thirty days in hearing one case may be paid in the discretion and upon the certification of the trial judge a per diem fee not exceeding \$14 for each day in excess of thirty days he is required to hear such case.

"For the distance necessarily traveled to and from a juror's residence by the shortest practicable route in going to and returning from the place of service at the beginning and at the end of the term of service 10 cents per mile; and for additional necessary daily or other interim travel during the term of service the juror shall be allowed for such travel 10 cents per mile, but not to exceed the subsistence allowance which would have been paid him if he had remained at the place of holding court overnight or during temporary recess, and if daily travel appears impracticable, subsistence of \$10 per day shall be allowed, including the time necessarily occupied in going to and returning from the place of attendance. Whenever in any case the jury is ordered to be kept together and not to separate, the cost of subsistence during such period shall be paid by the United States marshal upon the order of the court in lieu of the foregoing subsistence allowance.

"Jury fees and travel and subsistence allowances provided by this section shall be paid by the United States marshal on the certificate of the clerk of the court, and in the case of jury fees in excess of \$10 per diem, when allowed as hereinabove provided, on the certificate of the trial judge."

The SPEAKER. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered. There was no objection.

CALL OF THE HOUSE

Mr. ASHBROOK. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. DENT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 61]

Andrews,	Grabowski	Rivers, S.C.
Glenn	Grider	Roncalio
Arends	Hanna	Roosevelt
Ashley	Helstoski	Rostenkowski
Baldwin	Holland	St Germain
Boggs	Irwin	Scheuer
Bonner	Jennings	Skubitz
Brademas	Jones, Ala.	Smith, N.Y.
Bray	Keogh	Springer
Byrnes, Wis.	Kluczynski	Staggers
Cabell	Leggett	Sweeney
Callaway	MacGregor	Teague, Tex.
Clark	Mackie	Thompson, N.J.
Corbett	Mailliard	Toll
Diggs	Mathias	Tunney
Dorn	Meeds	Vivian
Dow	Moorhead	Walker, Miss.
Dowdy	Nix	Whalley
Dyal	O'Hara, Mich.	Williams
Edwards, Ala.	Passman	Wilson,
Fino	Pepper	Charles H.
Gibbons	Pickle	
Goodell	Resnick	

The SPEAKER. On this rollcall 368 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed.

INCREASE PER DIEM—GRAND AND PETIT JURORS

The SPEAKER. The gentleman from South Carolina [Mr. ASHMORE] is recognized for 20 minutes.

Mr. ASHMORE. Mr. Speaker, I know of no questions. I yield back my time.

Mr. GROSS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER. The question is on the motion of the gentleman from South Carolina, that the House suspend the rules and pass the bill H.R. 3990.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ACADEMY OF CRIMINAL JUSTICE

Mr. WILLIS. Mr. Speaker, I ask unanimous consent that the Committee on Un-American Activities be discharged from further consideration of the bill (H.R. 6071) to establish an Academy of Criminal Justice and to provide for the establishment of such other Academies of Criminal Justice as the Congress may hereafter authorize and that the bill be re-referred to the Committee on the Judiciary. This bill was inadvertently referred to the House Committee on Un-American Activities.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

SAN GORGONIO WILDERNESS AREA, SAN BERNARDINO NATIONAL FOREST, CALIF.

Mr. COOLEY. Mr. Speaker, H.R. 6891 was referred to the House Committee on Agriculture. It occurs to me it should be referred to the Committee on Interior and Insular Affairs.

I ask unanimous consent that the Committee on Agriculture be discharged

from further consideration of the bill (H.R. 6891) to provide for family winter recreational use of a portion of the San Gorgonio Wilderness Area, San Bernardino National Forest, Calif., without reducing the area set aside for wilderness preservation within such forest, and for other purposes, and that the bill be referred to the Committee on Interior and Insular Affairs.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was objection.

EXTENSION OF NATIONAL COMMISSION ON FOOD MARKETING

Mr. COOLEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5702) to extend for 1 year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriations for such commission.

The Clerk read as follows:

H.R. 5702

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 4(b) of Public Law 88-354, approved July 3, 1964 (78 Stat. 270), is amended by striking out the figures "1965," and inserting in lieu thereof the figures "1966".

(b) Section 7 of such Act (78 Stat. 272) is amended by striking out the figures "\$1,500,000" and inserting in lieu thereof the figures "\$2,500,000".

The SPEAKER. Is a second demanded?

Mrs. MAY. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from North Carolina is recognized for 20 minutes.

Mr. COOLEY. Mr. Speaker, I yield 5 minutes to the gentlewoman from Missouri [Mrs. SULLIVAN].

Mrs. SULLIVAN. Mr. Speaker, as the chairman of the House Committee on Agriculture, the gentleman from North Carolina [Mr. COOLEY], has already reported, this legislation is nonpartisan and, I am sure, noncontroversial. It merely extends for an additional year, until July 1, 1966, the period in which the National Commission on Food Marketing, created last year, must make its final report. It also increases, to \$2,500,000, from the present ceiling of \$1,500,000, the limit on appropriations authorized for the work of this Commission.

Mr. Speaker, the Commission on Food Marketing does not have, and has not spent, the \$1,500,000 authorized last year. It has received only \$700,000. That amount will carry it through the rest of this fiscal year. The remaining \$800,000 of the original authorization, plus the \$1 million more in appropriation authority sought in this bill today, would cover funds to be spent in the 1966 and 1967 fiscal years—nearly all of it in the coming fiscal year.

THE 1966 FISCAL YEAR BUDGET CALLS FOR
\$1,500,000

The \$300,000 or so to be spent in the 1967 fiscal year—after the Commission will have made its final report—will be for such things as printing of the various reports and technical studies, and for final cleanup work. But the bulk of the Commission's investigative work and hearings and so on will take place in the coming fiscal year, when an amount of \$1,500,000 will be required.

This was supposed to have been a 2-year, \$2,500,000 study to begin with—the legislation which came to the House last year so provided. The House cut it back to a 1-year study, costing \$1,500,000 with the understanding that we would review the matter again at this time to see if additional time and money are necessary. The facts are, Mr. Speaker, that the additional year is absolutely necessary—for reasons beyond anyone's control—because the work of the Commission could not really get started until January of this year. The appropriation of \$700,000 was not provided until last October; a new Chairman had to be appointed by the President because the original Chairman, Judge Marvin Jones, an outstanding expert in agricultural matters, found it necessary to resign. The staff director, who is, of course, the key staff man, was not put on the payroll until mid-November and most of the other top staff people could not be hired until early February. The Commission is now going ahead full speed, having held its first hearings last week in Cheyenne, Wyo., with another set of hearings scheduled later this month in Fort Worth, Tex.; and with subsequent hearings scheduled so far in Omaha, Nebr.; Atlanta, Ga.; and Washington, D.C.

THE 15-MEMBER BIPARTISAN COMMISSION

Mr. Speaker, as the ranking House Member on this 15-member bipartisan Commission, I can assure you and the Members of the House that we are anxious to do a full and thorough and complete job of analyzing the spread between farm prices and consumer prices and make detailed recommendations to the Congress on what, if anything, should be done to assure fairness and efficiency and competition in food marketing.

The Commission consists of the following five House Members: Representatives SULLIVAN, PURCELL, ROSENTHAL, CUNNINGHAM, and MAY; the following five Senators: MAGNUSON, McGEE, HART, MORTON, and HRUSKA; and the following five private citizens appointed by President Johnson: former California Supreme Court Chief Justice Phil S. Gibson, Chairman; former Congressman Fred Marshall; New Mexico Republican National Committeeman Albert K. Mitchell; J. C. Penney Co. Board Chairman William M. Batten; Missouri University Agriculture Dean Elmer R. Kiehl.

We met in Washington in September, right before the adjournment of Congress and our reelection campaigns; we authorized the Chairman to interview candidates for the position of staff director, and he did so, reporting to us by mail and telephone. The staff director we agreed upon took office in November. When we

returned to Washington for the new Congress, we met again on January 7, and ratified other top staff appointments, then met in February to set up our agenda of early hearings, establish rules, and give other directions to the staff. So we have not been neglecting our responsibilities. Quite the contrary.

SCOPE OF COMMISSION'S ASSIGNMENT

Now what it is that the Congress has asked us to do? Essentially—and I am quoting now an informal statement made by the staff director, Dr. George E. Brandow, of Pennsylvania State University, which says it very clearly without all of the legalistic whereases of the law—Congress said this:

All kinds of changes have been taking place in the way in which the food industry is organized and how it operates. See if you can give us some perspective on the extent to which firms are becoming larger, fewer, and more vertically integrated. Try to find out why these changes are taking place. Give us your best judgment as to how they are affecting the efficiency of the food industry, the bargaining power of different groups within it, and the maintenance of fair and effective competition. Advise us on the ways in which the regulatory activities of Government are outmoded, ineffective, or otherwise in need of revision. In short, how can we maintain the efficient, competitive kind of industry that is in the best tradition of American private enterprise.

FOOD MARKETING FROM FARM TO CONSUMER

Mr. Speaker, that is the gist of our assignment. The gentleman from Texas [Mr. PURCELL], who is very interested in the spread between livestock and retail beef prices, was the only House Member to attend the opening hearings in Wyoming last week, and he can report on the vigorous protests the Commission heard there from western livestock interests on their price problems. But we are not investigating only livestock prices, or meat prices, or any other single segment of the \$77 billion food industry. We are going to look into the whole industry, from top to bottom, from farm to consumer. It is a big job. It cannot be completed by this coming July 1. It would be futile even to try.

From the controversy we had here last year over beef imports, and the general unanimity of feeling in the House in support of this kind of study, I know of no reason why those who supported the original resolution would hesitate now to approve of this absolutely necessary extension of the time for the Commission's report.

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mrs. SULLIVAN. Yes. I am glad to yield to the chairman of the Committee on Agriculture who is the author of H.R. 5702.

Mr. COOLEY. Mr. Speaker, I would like to ask this question: This resolution conforms with the original purpose of the resolution we introduced last year. Is that right? It extends this Commission for 2 years and puts the appropriation back where we had it originally?

Mrs. SULLIVAN. That is correct, Mr. Speaker. This would restore it to the original concept for such a study as proposed in the resolution as it was first introduced last year.

Mrs. MAY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as one of the House members on the National Commission on Food Marketing, I rise in support of H.R. 5702, extension of National Commission on Food Marketing. My esteemed colleague from Missouri [Mrs. SULLIVAN] has made an excellent presentation of the urgent need for the extension of time if the Commission is to do a thorough, meaningful, and effective study of our Nation's food industry. As has been pointed out, since the Commission was created by law last year, we have had to spend many months in careful preparation in the areas of obtaining competent staff, working out a detailed program where facts and figures must be gathered and how best to correlate and amass the necessary data for reaching objective and valid conclusions which, in turn, hopefully will provide meaningful answers to many questions which have puzzled not only Members of Congress but our farmers, our consumers, and the various segments of the food industry itself.

As Dr. Brandow, Executive Director of the Commission, said, in a recent speech:

I am sure that the Food Commission will not arrive at final solutions to all major problems in the food industry. I am optimistic, however, that it will bring them into sharper focus and will have significant recommendations to make about several of them. The Commission itself can take no action, but its findings can provide a basis for both private decisions and public policy.

Mr. Speaker, I would like to take this opportunity to say that I feel that the makeup of the Commission as to individuals is excellent in its balance of background knowledge as well as keen interest in the field of study that we are conducting. We are fortunate to have a man of the stature of Justice Phil Sheridan Gibson as our Chairman and I feel, in turn, that he has shown a tremendous grasp of the magnitude of this study. In this respect, I would like to congratulate Justice Gibson for finding a man of the ability of Dr. George E. Brandow as the Executive Director of the Commission. Justice Gibson and Dr. Brandow together, with the advice and consent of the Commission members, have put together, painstakingly, a staff of men and women who are unusually competent to work in the fields for which they have been chosen. This was the first important step, no matter what the time involved before we could, as a Commission, go ahead and discharge the responsibilities Congress placed upon us in the creation of the Commission itself.

As you have heard, we have now had the first hearing in a series of those set up this year and next, and we are now off to a good start. But it certainly would be shortsighted on the part of this body if we did not now provide an adequate amount of time to do the job that we were set up to do, now that these early months of experience have shown we must cover a wide field of study in depth in key areas that have been selected. We have a firm foundation now. We must have time to build on it. We must also have the necessary funds to keep a competent staff together, and we feel that

the Commission staff, working with the Bureau of the Budget, has projected as well as is possible figures that place a practical ceiling on what I am confident will be needed between now and the time this Commission finishes its work and makes its report and disbands.

I urge your support of this legislation.

Mr. CUNNINGHAM. Mr. Speaker, will the gentlewoman from Washington yield to me at this point?

Mrs. MAY. I shall be glad to yield to the gentleman from Nebraska, a member of the Commission.

Mr. CUNNINGHAM. Mr. Speaker, I want to concur in the remarks of the gentlelady from Missouri [Mrs. SULLIVAN] and the gentlelady from Washington [Mrs. MAY] and say that this is a most important study that is being conducted. This is in line with the request of President Johnson.

Mr. Speaker, I believe every Member of this body should be interested in the reasons why there is such a spread between what the producer receives and what the consumer pays.

Mr. Speaker, I am happy to be a member of the Commission and I am very much impressed with the staff that has been assembled. It was late in getting started because of the health of the original Chairman. However, this represents a tremendous study that is being undertaken and I certainly join in urging the adoption of this legislation.

Mrs. MAY. I thank the gentleman from Nebraska.

Mr. DOLE. Mr. Chairman, will the gentlewoman yield?

Mrs. MAY. I am glad to yield to the gentleman from Kansas [Mr. DOLE].

Mr. DOLE. As I understand it, there are five Members of the other body and five Members of this body as well as five public members?

Mrs. MAY. This is correct.

Mr. DOLE. And, if the gentlewoman will yield further, I am wondering if the public members are so located as they will be able to attend most every session, particularly the Chairman, Justice Gibson?

Mrs. MAY. To date the majority of the public members have attended those meetings held in Washington, D.C. However, I would have to defer to the gentleman from Texas [Mr. PURCELL] as to how many were at the Cheyenne hearing, the first of our hearings.

Justice Gibson, our chairman has been back on several occasions and I do feel that Justice Gibson has had a lot of preliminary work to take care of before he could leave his home in California to spend more time in Washington, D.C. But we are certainly hopeful, and we know it is in his planning, that he can spend a great deal of his time back here working with the Executive Director of the Commission and the staff.

We realize that this is very important in order that this job can be carried on.

Mr. DOLE. I endorse the Commission and certainly commend the gentlewoman from Washington and the other Members for the fine work they have done. But as a member of the Committee on Agriculture this was one ques-

tion we had because many times it is impossible for Members of the House or Members of the other body to attend meetings. We want to make certain, of course, that whenever possible the public members are in attendance.

Mrs. MAY. We are certainly anticipating that this is to be done. We have had word that Justice Gibson expressed his intention to spend a great deal more time in Washington, D.C., working with the Executive Director.

Mr. DOLE. I thank the gentlewoman.

Mr. BERRY. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I am happy to yield to the gentleman from South Dakota.

Mr. BERRY. Mr. Speaker, I want to commend the gentlewoman from Washington on the statement that she is making. Certainly I concur with her remarks with reference to this Commission.

Mr. Speaker, never in the history of this country has agriculture received less return for its production in comparison with the cost of producing the food and fiber than it does today.

There is a great disparity between the price the producer receives and the price the processed product brings in the marketplace. Unless this gap is closed so the farmer receives a better price for his product the 2.4 million small farmers the President referred to in his budget message as indispensable will certainly be forced off the farms.

Mr. Speaker, the welfare of this Nation is dependent upon a healthy agriculture and a healthy agriculture is dependent upon reasonable prices, reasonable prices are dependent upon less slippage between the producer and the consumer.

I have supported this kind of legislation for a number of years and support this legislation which provides for a thorough study of this problem through this Commission.

(Mr. BERRY asked and was given permission to revise and extend his remarks.)

Mr. GROSS. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I shall be glad to yield to the gentleman from Iowa.

Mr. GROSS. Do I understand that \$1.5 million was appropriated for this purpose last year?

Mrs. MAY. No, \$1.5 million was authorized, but only \$700,000 was actually appropriated.

Mr. GROSS. Then was this fund carried over, the unused portion of the \$1.5 million carried over?

Mrs. MAY. Only the actual \$700,000 that was appropriated.

Mr. GROSS. It was not turned in to the Treasury?

Mrs. MAY. We have the figures on that. I believe the gentlewoman from Missouri [Mrs. SULLIVAN] has those figures and I would be glad to yield to my colleague from Missouri in order to answer the gentleman's question.

Mrs. SULLIVAN. Last October the Appropriations Committee appropriated only \$700,000. So, this coming year we need the additional \$800,000 previously

authorized but never appropriated, plus the additional \$1 million we are asking for in order to make the total of \$2.5 million. That was the original figure recommended when the Commission was first proposed—\$2½ million to be authorized over a 2-year period.

Mr. GROSS. So, the full amount is necessary, the gentlewoman from Missouri is saying, because of the fact that it has been extended for a period of another year?

Mrs. SULLIVAN. We will need another year in order to obtain the full facts that we are seeking. We must have a 2-year period for this study, as well as the full appropriation necessary to support it.

Mr. GROSS. I could not conceive, in light of the late start last year of the Commission, that it had spent any part of the appropriation which was made last year.

Mrs. SULLIVAN. If the gentlewoman from Washington will yield further, they have not spent all of the \$700,000 appropriation, but they are in the process of obligating it for various studies by other Government agencies as well as for staff salaries, hearing expenses, and so on.

The Commission has 45 people on the staff who are on the Federal payroll. The Commission had its first hearing last week in Cheyenne. We will use the \$700,000 by the end of this present fiscal year—July. We will need in 1966 fiscal year the other \$800,000 already authorized plus about \$700,000 more. Then in the 1967 fiscal year, about \$300,000 will be needed for printing and cleanup work. But most of the money this bill would authorize will be spent next year if the Commission's life is extended by passage of this legislation.

Mr. GROSS. I thank the gentlewoman.

(Mr. PURCELL (at the request of Mr. COOLEY) was given permission to extend his remarks at this point in the RECORD.)

Mr. PURCELL. Mr. Speaker, I rise to support H.R. 5702, a bill to extend the life of the National Commission on Food Marketing.

This extension is necessary if the Commission is to accomplish the task assigned it by such an overwhelming majority of the 88th Congress. After going through a change in the chairmanship at a crucial time; waiting out the 1964 election campaign; and starting the difficult job of building a competent staff, the Commission is now well organized and hard at work.

This past weekend the Commission held its first hearings at Cheyenne, Wyo. Ample evidence was given at this one set of meetings alone to justify the need for the Commission and the study expected of it. Considerable evidence was given which pointed out the striking changes that have taken place in our food industry. The Commission found that these new and more complex problems have reached staggering proportions in certain segments of the industry. Further, these problems are not generally susceptible to solution by the individual farmer, processor, or retailer; most cer-

tainly not unless there is a better understanding of the entire food marketing process and the pressures which influence it.

At the hearings the Commission found continued support for the belief that the greatest asset in our Nation is the food industry. It has continued to supply the American people with a flow of food abundance unparalleled any place in the world. Yet, within that industry, testimony was given which pointed out the difficulties that it faces now and the dangers which exist in the future.

Additional hearings will be held in Fort Worth, Tex., April 22-24, on buying and selling practices in markets for cattle and lambs and feedlot operations of the packers; in Atlanta, Ga., May 13-15, on integration in the broiler and egg industries; and in Omaha, Nebr., June 3-5, on buying and selling practices in markets for cattle and hogs and feedlot operations of packers.

These, and other hearings, and the other studies of the Commission are essential to the Congress in its efforts to make it possible for the food industry to continue to grow and prosper along with the rest of the Nation.

I urge my colleagues to support passage of H.R. 5702.

The SPEAKER pro tempore (Mr. ALBERT). The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

INCREASING AMOUNTS AUTHORIZED FOR INDIAN ADULT VOCATIONAL EDUCATION

Mr. HALEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4778) to increase the amounts authorized for Indian adult vocational education.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of this Act entitled "An Act relative to employment for certain adult Indians on or near Indian reservations", approved August 3, 1956 (25 U.S.C. 309a), is amended by striking out "\$12,000,000" and inserting in lieu thereof "\$15,000,000".

The SPEAKER pro tempore. Is a second demanded?

Mr. BERRY. Mr. Speaker, I demand a second.

Mr. HALEY. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HALEY. Mr. Speaker, I yield such time as he may desire to the gentleman from Colorado [Mr. ASPINALL].

(Mr. ASPINALL asked and was given permission to revise and extend his remarks.)

Mr. ASPINALL. Mr. Speaker, I heartily endorse H.R. 4778 and hope it can be enacted in its reported form. We have had similar legislation before us several

times since 1956 when the original bill was passed.

In 1956, Congress established the Indian vocational training program for Indians living on or near reservations. From modest beginnings, the program has grown to its present proportions. Over 10,000 Indians between the ages of 18 and 35 have been enrolled in various schools that have been designated by the Bureau of Indian Affairs as institutions for vocational training. Considerably more than half of the enrollees have completed their courses and are employed in gainful employment—as automotive mechanics, carpenters, plumbers, electricians, barbers, nurses, hairdressers, stenographers, etc. Except for nurses training the courses are limited to 24 months. Nurses are permitted an extra year of training. Following a very careful screening process by the Bureau of Indian Affairs, the students are selected and assigned to their choice of vocational schools. Each of the States with sizable Indian populations have one or more approved vocational schools. Arrangements are made to permit the wife and children to accompany the husband and father to the city where he is in training so that the family may be kept intact. Experience has proven that this precaution is essential. The funds provided the students are in the form of scholarships and need not be repaid.

Nearly 5,000 heads of families and single individuals have been accepted for training and are presently awaiting assignment. The \$3 million increase provided in H.R. 4778 will clear up most of that backlog. Our colleagues need not fear that the Bureau of Indian Affairs will build up a huge administrative staff to handle this program. A limit of \$1½ million is permitted for such purposes.

When the Indian vocational training program was established in the 84th Congress the sum of \$3½ million per year was allocated to it. An increase to \$7 million was made in the 87th Congress and to \$12 million in the 88th Congress. Mr. Speaker, I know of no part of the Bureau of Indian Affairs operations that has borne more fruit than has this vocational training program. I strongly support the provisions of H.R. 4778.

Mr. BERRY. Mr. Speaker, I yield myself such time as I may desire.

(Mr. BERRY asked and was given permission to revise and extend his remarks.)

Mr. BERRY. Mr. Speaker, the first bill I introduced when I came to Congress 15 years ago was a bill to provide a trades training and on-the-job training program for Indians similar to the GI trades training and on-the-job training program that had been so successful in assisting the GI's to get started after their interruption in trades, professions, business and industry during the war.

Each session I reintroduced this bill. I made speeches. I met with the Commissioner of Indian Affairs and members of his staff trying to sell the idea to them. Finally in 1956 the Indian Department agreed to go along with the trades training bill and H.R. 9904, introduced by the gentleman from Oklahoma, Representative Ed EDMONDSON, was passed

by the House August 3, after an identical bill, S. 3416 had passed the Senate July 23, 1956.

Originally it authorized \$3.5 million to carry on this program but, because the Department did not think they could spend that much, only part of this fund was appropriated. Finally, when the program got started and the Department found out that the Indians wanted to get ahead, wanted to learn a trade, wanted to learn how to live like non-Indians, wanted to learn how to earn and send their children to nonsegregated schools, wanted to build their own homes and provide for themselves, instead of having a Government bureau tell them how they could live, what they could do, how they could spend their money, and so forth, the Department came to Congress and asked for an authorization of \$7 million in the 87th Congress.

Still more Indians wanted to learn trades and provide for themselves, and their families, and in the 88th Congress the Department asked for \$12 million. To the law the Congress added my amendment which increased from 2 to 3 years the length of time girls who were taking nurses training could be covered by the law in order that these girls could come out with a degree as a registered nurse.

The program is simply this: An Indian living on, or near an Indian reservation, who is between the ages of 18 and 36, whether single or the head of a family, makes application for trades training. After he is classified he is granted a scholarship, so to speak, a grant which need not be repaid. He goes to a trade school approved by the Department. If he is married, his family goes with him, and while he is learning his trade the family is learning to live with non-Indian people off the reservation. The wife learns that when she wants water she turns a tap instead of going to the well, when she wants lights, or heat, she turns a button instead of lighting a lamp or cutting wood. By the end of 2 years the husband is ready to take over a job in industry and the family is ready to live in a nonsegregated community.

The other half of the law, the on-the-job training program, is similar to the GI program where the Government pays part of the individual's salary until he has learned enough about the work that he can earn the salary he is being paid. Then the employee takes over full payment of the salary.

I would ask, Mr. Speaker, that each Member read the report of the committee which accompanies this bill. It is a success story if ever one has been written.

It points out that since the inception of the law, until December 31, 1964, there had been 10,040 persons entered into institutional vocational training and that of this number 1,677 were still in training and 5,576 had completed their training. It points out that 3,243 Indians had been placed in on-the-job training, learning a trade, or job, while they work.

At the present time there is a backlog of applicants for this service of approximately 4,872 heads of families and single persons. This figure includes the number of applicants on registers at training

H. R. 5702

IN THE SENATE OF THE UNITED STATES

APRIL 6, 1965

Read twice and referred to the Committee on Commerce

AN ACT

To extend for one year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriations for such Commission.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) section 4 (b) of Public Law 88-354, approved
4 July 3, 1964 (78 Stat. 270), is amended by striking out
5 the figures "1965," and inserting in lieu thereof the figures
6 "1966".

7 (b) Section 7 of such Act (78 Stat. 272) is amended
8 by striking out the figures "\$1,500,000" and inserting in
9 lieu thereof the figures "\$2,500,000".

Passed the House of Representatives April 5, 1965.

Attest:

RALPH R. ROBERTS,

Clerk.

AN ACT

To extend for one year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriations for such Commission.

APRIL 6, 1965

Read twice and referred to the Committee on
Commerce

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE

Washington, D. C. 20250

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HIGHLIGHTS: See page 6

SENATE

1. SECOND SUPPLEMENTAL APPROPRIATION BILL, 1965. Passed as reported this bill, H. R. 7091 (pp. 8236-58). Senate conferees were appointed (House conferees have not yet been appointed)(p. 8258). Sen. Holland reviewed the situation with regard to the proposed closing of certain research stations and lines of research, stated that agreement has been reached with the Department regarding the closings, and inserted a table reflecting the agreements reached with regard to the various research stations and lines of research (pp. 8254-8). See Digest 73 for a summary of items for this Department in the bill. Also, the bill includes: \$35 million for the President's disaster relief fund; \$16 million for the Land and Water Conservation Fund; \$45 million for the Department of Commerce for supplemental grants-in-aid for Federal programs in the

Appalachian Region; \$16,250,000 for the Department of the Interior for carrying out a nation-wide study of strip and surface mine rehabilitation and reclamation, and a program of mining area restoration, as authorized by the Appalachian Regional Development Act; and various amounts for claims and judgments.

2. FOOD MARKETING. The Commerce Committee voted to report (but did not actually report) H. R. 5702, to extend the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress. p. D321
3. TOBACCO. The "Daily Digest" states that the Commerce Committee "defeated, by a vote of 11 to 2, a motion to offer the bill S. 547, proposed Cigarette Advertising and Labeling Act, as an amendment in the nature of a substitute for the bill S. 559, proposed Federal Cigarette Labeling Act. The committee announced that it will further consider S. 559 in executive session on Tuesday, May 4." p. D321
4. SOIL CONSERVATION. Sens. Mansfield, Carlson, Hayden, Talmadge, Ellender, and Randolph reviewed and commended the work of the Soil Conservation Service on its 30th anniversary. pp. 8222-4, 8261-2
5. FOREIGN AID. Sen. McGee inserted a speech by Chester Bowles, Ambassador to India, explaining and commending the foreign aid program. pp. 8267-8

HOUSE

6. INTERNATIONAL MONETARY FUND. Passed by a vote of 301 to 88, without amendment H. R. 6497, to amend the Bretton Woods Agreements Act so as to authorize an increase in the International Monetary Fund quota of the U. S. pp. 8275, 8278-98.
7. GRAZING. Rep. Aspinall commended and inserted the text of a speech made by Under Secretary of the Interior Carver before the New Mexico Cattle Growers Association "touching upon many fields of public land management with particular emphasis on the advisory board system utilized in the administration of grazing districts established under the Taylor Grazing Act." pp. 8298-8300
8. RAISINS. Rep. Hagen, Calif., paid tribute to the 100,000 growers, packers and employees of America's raisin industry and announced this week is National Raisin Week. pp. 8300-1
9. BALANCE-OF-PAYMENTS. Rep. Erlenborn spoke of the "critical problem" of the U. S. balance-of-payment deficit and commended a recommendation made in a GAO report to broaden "the program for an increased use of foreign currencies in all countries where the United States holds a significant amount of the foreign currency." p. 8302
10. FLOOD CONTROL. A subcommittee of the Public Works Committee voted to report to the full committee H. R. 6755, authorizing additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control (p. D325), Rep. Edmondson urged prompt action on this bill (p. 8306)

Digest of CONGRESSIONAL PROCEEDINGS

OFFICE OF
BUDGET AND FINANCE

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OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE

Washington, D. C. 20250

Official Business

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U. S. Department of Agriculture

Issued

May 3, 1965

For actions of

April 30, 1965

89th-1st; No. 77

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HIGHLIGHTS: Senate committee reported bill to extend date for final report of National Food Marketing Commission. House subcommittee voted to report Whiskeytown-Shasta-Trinity National Recreation Area bill. Sen. Church criticized proposed cut in SCS appropriations. Sens. Bayh and Bartlett introduced and discussed bill to provide additional assistance for disaster relief areas.

SENATE

1. FOOD MARKETING. The Commerce Committee reported without amendment H. R. 5702, to extend for one year (until July 1, 1966) the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress, and to authorize \$1 million additional for the work of the Commission (S. Rept. 174). p. 8713
2. SOIL CONSERVATION SERVICE. Sen. Church criticized the proposed reduction in the budget for the Soil Conservation Service, reviewed the possible effects of such a reduction in the SCS program in Idaho, and inserted several items in support of his position. pp. 8758-60
3. POVERTY. Sen. Bass inserted Secretary Freeman's speech to the National Conference on the Poverty Program in Rural America reviewing the attack on poverty in rural areas. pp. 8747-8

4. DEPARTMENT OF INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, 1966. Sen. Hayden submitted notices of his intention to move to suspend the rules for the purpose of proposing amendments to the bill, H. R. 6767. pp. 8722-3
5. BALANCE OF PAYMENTS. Sen. Proxmire inserted excerpts from the report of the Bernstein committee on balance of payments statistics. pp. 8730-41
6. WILDLIFE; RESEARCH. Sen. Hruska referred to an announcement that the Department of the Interior proposed to curtail or close certain national wildlife refuges, questioned the authority of Interior to take such action without Congressional approval, and cited the proposed closing of certain USDA research stations and lines of research as having similar implications as the proposed action by Interior. pp. 8743-4
7. FARM LABOR. Sen. Byrd, W. Va., expressed concern over the availability of sufficient farm labor to harvest fruit in his State and inserted correspondence with the Department of Labor over the situation. p. 8746
8. ELECTRIFICATION. Sen. Metcalf criticized the activities of certain State regulatory agencies in the regulation of public utilities and inserted the minutes of the National Assoc. of Railroad and Utility Commissioners legislative committee meeting held in Miami. pp. 8749-50
9. FOREIGN AID. Sen. Mundt criticized the present foreign aid program and inserted an article, "Sukarno Agrees To Take Our Aid." pp. 8757-8
10. ADJOURNED until Mon., May 3. p. 8804

HOUSE

11. FORESTRY; RECREATION. The Subcommittee on National Parks of the Interior and Insular Affairs Committee voted to report to the full committee with amendments H. R. 797, to provide for the establishment of the Whiskeytown-Shasta-Trinity National Recreation Area, Calif. p. D340
12. VOCATIONAL REHABILITATION. The "Daily Digest" states that the Education and Labor Committee "ordered reported favorably to the House H. R. 7743 (a clean bill in lieu of H. R. 6468), regarding vocational rehabilitation." p. D340

ITEMS IN APPENDIX

13. POVERTY. Sen. Scott inserted an address on the role which business can play in the war on poverty. pp. A2073-4
14. CREDIT UNIONS. Rep. Patman inserted an article on the value of credit unions to the working community. pp. A2077-8

BILLS INTRODUCED

15. DISASTER RELIEF. S. 1861 by Sen. Bayh, to provide additional assistance for areas suffering a major disaster; to Public Works Committee. Remarks of author pp. 8784-8

EXTENSION OF NATIONAL COMMISSION ON FOOD MARKETING

APRIL 30, 1965.—Ordered to be printed

Mr. MAGNUSON, from the Committee on Commerce, submitted
the following

REPORT

[To accompany H.R. 5702]

The Committee on Commerce, to whom was referred the bill (H.R. 5702) to extend for 1 year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriations for such Commission, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

The purpose of this bill is to extend for 1 year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriation for the Commission. In extending the life of the Commission to July 1, 1966, with a total authorization of \$2,500,000, the bill conforms to President Johnson's original proposal submitted to Congress April 1, 1964, and passed by the Senate May 18, 1964.

In order to get the Commission study underway, the Senate concurred in House amendments limiting the authorization to 1 year and \$1.5 million, with the understanding that an additional 1-year extension would be sought during this session of Congress.

The Commission received no funds until October 7, 1964. Because of the inability of the original Chairman to serve, due to health reasons, the selection of an executive director for the Commission was delayed until November 16, 1964. This also delayed the organizational meeting of the Commission which took place on January 7, 1965. It was not until this date that the Commission approved staff appointments and considered the broad outlines of its program.

2 EXTENSION OF NATIONAL COMMISSION ON FOOD MARKETING

With the selection of an able executive director and chief counsel, and a distinguished supporting staff, the Commission's studies and investigations are now proceeding with dispatch.

The Commission's mandate is so broad, its responsibility so great, its many tasks so complex that no one has doubted the need for a full 2-year period to do the job properly.

COST

This bill authorizes the appropriation of an additional \$1 million to cover the expenses of the Commission for the 1-year extension.

EXECUTIVE COMMUNICATIONS

Following is an executive communication from the Chairman of the National Commission on Food Marketing to the President of the Senate transmitting the companion bill (S. 1555) to H.R. 5702, together with a supporting letter from the Secretary of Agriculture:

NATIONAL COMMISSION ON FOOD MARKETING,
Washington, D.C., February 19, 1965.

HON. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Transmitted herewith for consideration of the Congress is a draft bill to extend for 1 year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriations for such Commission.

On April 1, 1964, the President transmitted a draft bill to the Congress which would establish a bipartisan Commission to study and appraise the marketing structure of the American food industry. A 2-year study was contemplated, with a reporting date of July 1, 1966, and a total authorization of \$2,500,000. Subsequently, legislation was enacted establishing the National Commission on Food Marketing (Public Law 88-354, July 3, 1964). This legislation established a reporting date of July 1, 1965, and authorized \$1,500,000 for the study.

The draft bill would extend the final reporting date of the Commission to July 1, 1966, and increase the authorization for the study to a total of \$2,500,000, as originally proposed. This authorization level covers the fiscal year 1965 appropriation, the fiscal year 1966 budget request, and a small amount in fiscal year 1967 for printing and "cleanup" expenses during the 90 days provided for terminating the affairs of the Commission.

The magnitude and complexity of the food industry make the charge given to the Commission a most difficult and challenging one. Although the establishment of the Commission was authorized in July 1964, an appropriation was not enacted until October 1964, so that several valuable months were lost before planning and staffing could be undertaken. The study is now well underway. A competent, objective staff has been assembled and several hearings have been announced. With a 1-year extension we are confident that we can provide the President and the Congress with a perceptive analysis of the changing structure of the food industry and will be able to provide

guidelines for the maintenance of an efficient and competitive industry in the future. Without an extension it will be impossible, of course, to complete our study and fulfill the objectives of the legislation.

A similar letter is being sent to the Speaker of the House.

The Bureau of the Budget advises that the enactment of this proposed legislation would be in accord with the President's program.

Sincerely yours,

PHIL S. GIBSON, *Chairman.*

DEPARTMENT OF AGRICULTURE,
Washington, D.C., April 1, 1965.

HON. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I am writing to endorse S. 1555, to extend the life of the National Commission on Food Marketing for 1 year and increase the total amount of funds authorized to be appropriated.

It is hardly necessary, and would be redundant, to name all the reasons why such legislation should be enacted. The seriousness and complexity of the marketing problems assigned for the Commission's attention, as spelled out in testimony on Senate Joint Resolution 71 a year ago; the promising start that has been made in the Commission's work to date; and the distinguished and forceful membership of the Commission itself—all attest to the need to give the Commission the additional year that would enable it to complete its work.

For the same reasons, the Commission should be granted adequate funds for the purpose. A figure of \$2½ million is proposed as appropriation authority for the Commission's entire life. Inasmuch as the strength of the Commission's inquiry lies in its searching out new information and spotlighting very difficult problems, it is highly desirable to provide for the total authorization requested.

I would appreciate your making this a part of the hearing record.

The Bureau of the Budget advises that there is no objection to the presentation of this report and that the enactment of this proposed legislation would be in accord with the President's program.

Sincerely yours,

ORVILLE L. FREEMAN, *Secretary.*

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in brackets; new matter is printed in italic; and existing law in which no change is proposed is shown in roman):

PUBLIC LAW 88-354 (78 STAT. 269)

* * * * *

SEC. 4. DUTIES OF THE COMMISSION.—(a) The Commission shall study and appraise the marketing structure of the food industry, including the following:

(1) The actual changes, principally in the past two decades, in the various segments of the food industry:

(2) The changes likely to materialize if present trends continue;

(3) The kind of food industry that would assure efficiency of production, assembly, processing, and distribution, provide appropriate services to consumers, and yet maintain acceptable competitive alternatives of procurement and sale in all segments of the industry from producer to consumer;

(4) The changes in statutes or public policy, the organization of farming and of food assembly, processing, and distribution, and the interrelationships between segments of the food industry which would be appropriate to achieve a desired distribution of power as well as desired levels of efficiency;

(5) The effectiveness of the services, including the dissemination of market news, and regulatory activities of the Federal Government in terms of present and probable developments in the industry; and

(6) The effect of imported food on United States producers, processors and consumers.

(b) The Commission shall make such interim reports as it deems advisable, and it shall make a final report of its findings and conclusions to the President and to the Congress by July 1, [1965] 1966.

* * * * *

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated such sums not in excess of [\$1,500,000] \$2,500,000 as may be necessary to carry out the provisions of this joint resolution. Any money appropriated pursuant hereto shall remain available to the Commission until the date of its expiration, as fixed by section 6(e).



Calendar No. 161

89TH CONGRESS
1ST SESSION

H. R. 5702

[Report No. 174]

IN THE SENATE OF THE UNITED STATES

APRIL 6, 1965

Read twice and referred to the Committee on Commerce

APRIL 30, 1965

Reported by Mr. MAGNUSON, without amendment

AN ACT

To extend for one year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriations for such Commission.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) section 4 (b) of Public Law 88-354, approved
4 July 3, 1964 (78 Stat. 270), is amended by striking out
5 the figures "1965," and inserting in lieu thereof the figures
6 "1966".

7 (b) Section 7 of such Act (78 Stat. 272) is amended

1 by striking out the figures "\$1,500,000" and inserting in
 2 lieu thereof the figures "\$2,500,000".

Passed the House of Representatives April 5, 1965.

Attest:

RALPH R. ROBERTS,

Clerk.

Calendar No. 161

89TH CONGRESS
1ST Session

H. R. 5702

[Report No. 174]

AN ACT

To extend for one year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriations for such Commission.

APRIL 6, 1965

Read twice and referred to the Committee on Commerce

APRIL 30, 1965

Reported without amendment

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UNITED STATES DEPARTMENT OF AGRICULTURE

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HIGHLIGHTS: see page 3

SENATE

1. FOOD MARKETING. Passed without amendment H. R. 5702, to extend for one year (until July 1, 1966) the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress, and to authorize \$1 million additional for the work of the Commission. This bill will now be sent to the President. pp. 8955-8
2. FOREIGN AID. Both Houses received the President's report on the foreign aid program for fiscal year 1964 (H. Doc. 95). pp. 8808, 8890-1
3. NOMINATIONS. Received the nomination of John A. Schnittker to be Under Secretary of Agriculture, and the nomination of Under Secretary Murphy to be a member of the Civil Aeronautics Board. p. 8962

4. CIVIL RIGHTS. Sen. Hart inserted a statement of Sen. McGovern commending the civil rights policies of this Department, particularly those recently adopted relating to ASCS. pp. 8921-2
5. SOIL CONSERVATION. Received a Delaware Legislature resolution urging Congress "to give the necessary and adequate support to the continuance of the Agricultural conservation program and the Soil Conservation Service." p. 8892
Received a GAO report "on significant savings available by replacing sedan delivery vehicles with pickup trucks, Soil Conservation Service." p. 8891
6. ECONOMIC STATISTICS. Sen. Proxmire stated that the Subcommittee on Economic Statistics of the Joint Economic Committee is undertaking a review of the statistical requirements of our Nation in the light of present and future needs of the growing economy, and inserted several items on the subject. pp. 8951-3
7. TRANSPORTATION. Sen. Bartlett commended the increase in air freight between Alaska and the continental U. S., including the transportation of food and other agricultural products.
8. PROPERTY; LANDS. At the request of Sen. Muskie, S. 1681, to provide for uniform, fair, and equitable treatment of persons, businesses, or farms displaced by Federal and federally assisted programs, was re-referred from the Banking and Currency Committee to the Government Operations Committee. p. 8904
9. DAIRY. Sen. Mundt was added as a cosponsor of S. 1838, to make dairy products available for domestic and foreign programs. p. 8904
10. INTERGOVERNMENTAL RELATIONS. Sen. Muskie announced that the H. and S. Subcommittees on Intergovernmental Relations will hold joint hearings May 25-27 "to evaluate the record of the Advisory Commission on Intergovernmental Relations with respect to its assigned functions, to further define the direction in which we are moving in the intergovernmental relations field, and to analyze the future role of the Commission." p. 8904
HOUSE
11. PERSONNEL. Passed without amendment H. R. 6691, to validate certain over-payments made by the Forest Service to Southeastern Indian firefighter crews from N. Mex. and Ariz. pp. 8813-4
Passed under suspension of the rules H. R. 6926, to strengthen the financial condition of the Employees' Life Insurance Fund created by the Federal Employees' Group Life Insurance Act of 1954 and to provide certain adjustments in amounts of group life and group accidental death and dismemberment insurance under such Act. pp. 8819-21
12. NATIONAL PARKS. Passed with amendment S. 60, to authorize the Secretary of the Interior to designate the Nez Perce National Historical Park in Idaho, after substituting the language of H. R. 908 as passed earlier under suspension of the rules. H. R. 908 was tabled. pp. 8814-18
Passed with amendment S. 339, to provide for the establishment of the Agate Fossil Beds National Monument in Nebr., after substituting the language of H. R. 500 as passed earlier under suspension of the rules. H. R. 500 was tabled. pp. 8818-19

did not in fact accomplish when it passed the constitutional amendment with respect to the poll tax. I never say, and I shall not now say, "I told you so." We are just about where we began before we dealt with the constitutional amendment, passed it, and had it ratified by the necessary number of States. The poll tax still exists, and exists substantially in the States that want it.

I do not believe we ought to handicap ourselves, therefore, by avoiding an opportunity to remove the poll tax based upon a congressional finding of fact. I sincerely hope, as we move along in the effort to amend the substitute, that probably the primary question, the most controverted question with respect to the bill, may be resolved in an affirmative way by congressional finding and the elimination of the poll tax, and that the right of review by the courts may be included. I am the first to agree that that should be, so that the situation may be protected in the event decisions occur which go against our point of view, notwithstanding our finding of fact.

Mr. CASE. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. CASE. I wish to express my personal appreciation and the appreciation of all of us who believed in the bill for the lucid and unanswerable statement the Senator from New York has just made. I associate myself with it completely.

Mr. JAVITS. I am grateful to the Senator from New Jersey, who is one of the most distinguished lawyers in this body. I am much pleased that he should feel as I do about this highly controversial subject.

As to the poll-watchers proposal, it seems to me that this is an elementary aspect of American public life. The Republican and Democratic and other parties in New York, send watchers to the polls merely by having the party leader write a certificate and send it in. It seems to me that to hobble ourselves with the requirement of a court order before watchers could be sent in to see that what the United States has ordered is carried through, is an unnecessarily troublesome requirement. I hope very much that we shall not relinquish that opportunity, but will continue to fight it through in the endeavor to have the situation at least as it was in the committee bill.

Finally, there is the matter, which was the subject of a series of questions and replies between the Senator from Michigan [Mr. HART] and the Senator from Montana [Mr. MANSFIELD] of the real meaning of the detripping mechanism of section 4(a) of the substitute, to which these particular questions referred. It will be noted that this material is contained on page 4, beginning at line 15 and ending at line 24. It deals with the showing that must be made by a State or political subdivision in order to take itself out, for all practical purposes, from the provisions of the act.

The operative words of course are especially the words: "that the effects of denial or abridgment, if any, of the right to vote on account of race or color." Then there are these tremendously important—"have been effectively corrected by State or local action and that there

is no reasonable cause to believe that any test or device," and so on, and the tying up of this operative triggering mechanism with the provisions of section 4(b), and especially the parts contained in 4(b)(1), (2), and (3).

The answers given to those questions by Senator MANSFIELD, have as I see it, gone a very long way to pin down exactly what the operation of this statute would be and to give some reassurance to those who are deeply concerned by the loss of heritage which this statute is designed also to deal with—the denial or abridgment of the right to vote which denial or abridgment has discouraged voting to the extent that we have in some places this almost fantastic juxtaposition of registration and voting figures for those who are white and those who are Negro. I am very pleased that Senator MANSFIELD has seen fit to make replies to these questions.

I shall not in any way characterize or rephrase the questions or the replies.

I think it is essential for the legislative record that when the bill becomes law, those questions and answers stand exactly as the majority leader has dealt with them, along with the Senator from Michigan [Mr. HART].

I have, however, first, because of my great personal respect for, and, second, because of the cosponsorship of the substitute by the Senator from Illinois [Mr. DIRKSEN] given a copy of what transpired to the Senator from Illinois. I hope very much, without necessarily asking for anything from him, that he might find these answers to be satisfactory to him so that insofar as possible, those who were the authors of the substitute will themselves have given their understanding of precisely what it means.

Mr. DIRKSEN. Mr. President, I have just been handed a sheaf of papers containing questions and answers that purport to give explicitly and clearly what the intention of certain words contained in the substitute might be. I think that it would take a little more time than is available presently to spell that out.

I would rather not be bound by any answers that have been made heretofore, or completely bound by any answer I might make now unless I were to examine the phraseology a little more carefully.

I saw this document only 10 minutes ago. I want to be sure that we do not do violence to the cleansing section of the bill. That will take a little spelling out.

However, I shall be glad, somewhere along the line, to do it. Had these questions and answers come to my attention before, I probably could oblige the Senator at this time. I might concur in the exact interpretation given by the majority leader. On the other hand, there might be some shading with which I might not agree.

Mr. JAVITS. Mr. President, I hope very much that those of us who are deeply concerned with the bill might have the benefit of the replies of the Senator from Illinois as soon as it is convenient for him.

It would be most felicitous for the future of the legislation if the minority leader, like the majority leader, expressed the same views as are reflected by these questions and answers.

Mr. DIRKSEN. Yes. For purposes of court interpretation, we, as the law-making body, ought to be sure of the words that we employ here, and their precise meaning.

Mr. JAVITS. Mr. President, I thank my colleague. I would hope that we might have the benefit of his views, perhaps expressed in one word, but at least we shall have his views.

Mr. DIRKSEN. Yes.

Mr. JAVITS. Mr. President, I yield the floor.

ORDER OF BUSINESS

Mr. ERVIN. Mr. President, I understand that the able and distinguished Senator from Wyoming [Mr. McGEE] has a bill which he would like to have considered at this time. I, therefore, ask unanimous consent that I may yield to the Senator from Wyoming for that purpose with the understanding that he may yield the floor to any Senator interested in the bill which he is to present, and with the further understanding that by so doing I will not lose my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION FOR 1 YEAR OF DATE FOR FINAL REPORT BY NATIONAL COMMISSION ON FOOD MARKETING

Mr. McGEE. Mr. President, I thank the Senator from North Carolina, and I ask unanimous consent to call up H.R. 5702.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. Calendar No. 161, a bill (H.R. 5702) to extend for 1 year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriations for such Commission.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. McGEE. Mr. President, the pending bill is an authorization to extend for 1 year the date on which the National Commission on Food Marketing is to make a final report. The purpose of extending the time derives from two considerations. First of all, the Senate itself asked for a 2-year measure when the bill was enacted into law a year ago. The House limited it to 1 year. We knew then that the time was going to be too short but accepted the House amendments rather than delay the establishment of the Commission.

The second reason is that the Commission's appropriation was not approved until late in the session last year. It was difficult to assemble the staff, because of the election and other interruptions and digressions. Therefore, the law was not fully implemented until early in this session.

Students of the subject will agree that we cannot approach the marketing system as it exists today on the basis of a 6-month study.

It was for that reason that the Committee on Commerce last week unanimously approved the authorization of extension for 1 year.

I understand that the Senator from Louisiana [Mr. ELLENDER] has some questions to ask.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. McGEE. I yield.

Mr. ELLENDER. As I recall, the original request was for \$2½ million.

Mr. McGEE. That was the request.

Mr. ELLENDER. It was cut to \$1 million and a half.

Mr. McGEE. That is correct.

Mr. ELLENDER. Since the bill has been enacted how many permanent employees have been employed to do this job?

Mr. McGEE. The estimate I have been given by staff counsel is that the number is 42.

Mr. ELLENDER. Forty-two. Have those 42 employees been busy, and since when?

Mr. McGEE. Since January. I hasten to add that we had a staff director and one or two employees to assist the chairman of the commission, the justice from California, last fall; but the election prevented going to work on a full-time basis at the time.

Mr. ELLENDER. Are we to understand that these employees, 42 in number, have been at work since January 1st?

Mr. McGEE. Most of them have been at work since March 1st.

Mr. ELLENDER. How many were there at work—

Mr. McGEE. Would the Senator agree to my asking unanimous consent that the director of the staff may come to the floor so we may ask these questions of him?

Mr. ELLENDER. I have no objection.

Mr. McGEE. I ask unanimous consent that the staff director may come to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ELLENDER. I wonder if the Senator can inform us how many of these employees were hired from the various departments of Government on a reimbursable basis?

Mr. McGEE. I am sure we can supply that information. Some were brought in on a reimbursable basis.

Mr. ELLENDER. Until the staff director comes to the floor, I wonder if the Senator from Wyoming can give us assurance that, if the bill is enacted into law, the Commission will complete its work in another year.

Mr. McGEE. The Senator from Wyoming would not dare to give any such assurance, for one reason: He does not have control of the magnitude and complexities and depth of the problems involved; but he can, from what understanding he has—and he has been "sweating" this matter out for 2 or 3 years—say that it is a reasonable target date. We are confident, after checking with experts in the field, that we can report the matter with a helpful, constructive body of information, within the course of the next year.

Mr. ELLENDER. Of course, if this information were extended over the years, it would be of no use to us.

Mr. McGEE. That is correct.

Mr. ELLENDER. I remember during the debate, when the matter was considered, it was stated it was essential to get the information now to find out what the trouble was, who was getting what in the price structure and in the handling of products off the farm.

Mr. McGEE. Not only has the staff been busy assembling all the available existing studies from that time until

now, so it would not go back and repeat and expend unnecessary energy and public expenditures for these purposes, but the Commission has been deeply involved in placing a proper interpretation on what it is doing. Two hearings, held in Cheyenne and Fort Worth, were confined to marketing structure on the red meat industry question. We are to hold hearings in Washington with spokesmen for the food chains and explore some of the marketing problems in their field. A series of well over a dozen field hearings have been scheduled up to now. The Commission has not been wasting time up to this date.

Mr. ELLENDER. To what extent are Senators attending the hearings? As I understand, the Commission is composed of Senators and Representatives.

Mr. McGEE. There are five Senators and five House Members and five public members, that is, nongovernmental members, attached to the Commission. In the large public hearings more than half the Commission attended. Sometimes a Commissioner may not attend all 3 or 4 days because of conflicting engagements, but others have been able to be present part of the time.

Mr. ELLENDER. I wonder if we could get the information I asked for a while ago.

Mr. McGEE. Yes.

Mr. ELLENDER. I wonder if the executive secretary could place in the RECORD information on the number of people employed, their background, and salaries received. If it cannot be done at this instant, perhaps the information can be furnished for the RECORD.

Mr. McGEE. I am advised by the staff member that the staff membership is 42. An outline of their status, salary, and background will be made a part of the RECORD.

The information follows:

Staff member	Entrance-on-duty date	Position	Per annum salary	Background of professional staff
George E. Brandow	Nov. 16, 1964	Executive Director	\$24,500	Professor, Pennsylvania State University.
James E. Corkey	Jan. 18, 1965	General Counsel	22,195	Staff counsel, Senate Antitrust and Monopoly Subcommittee.
Linley E. Juers	Mar. 1, 1965	Project leader	19,590	Professor, Michigan State University.
Richard F. Ottman	Nov. 23, 1964	Assistant to the Executive Director	18,935	Bureau of the Budget.
Ronald D. Raitt	Mar. 1, 1965	Assistant General Counsel	18,935	Staff counsel, Senate Antitrust and Monopoly Subcommittee.
Thomas A. Sterner	do	do	18,935	Legal adviser, Federal Trade Commission.
H. Wayne Blitting	Jan. 25, 1965	Project leader	18,935	Department of Agriculture.
Paul L. Farris	Feb. 1, 1965	do	18,935	Professor, Purdue University.
Marshall R. Godwin	Mar. 1, 1965	do	18,935	Professor, University of Florida.
Warren L. Sharfman	Jan. 11, 1965	do	18,935	Attorney, private practice.
Fred B. Burke	Mar. 8, 1965	Field investigator	17,600	Staff counsel, Senate Antitrust and Monopoly Subcommittee.
Donald E. Farris	Feb. 1, 1965	Assistant project leader	16,460	Professor, Texas A. & M. University.
Daniel I. Padberg	do	do	16,460	Professor, Ohio State University.
George L. Biecki	Mar. 1, 1965	Field investigator	16,460	Assistant to the president, Rocky Mountain Farmers Union.
John J. Mitchell	Mar. 29, 1965	do	16,460	Attorney, private practice.
Louis W. Stern	Jan. 18, 1965	Economist	15,150	Professor, Ohio, State University.
Lindon U. Cockroft	Jan. 11, 1965	do	12,495	Department of Agriculture.
Ruth K. Holstein	Feb. 15, 1965	Information officer	12,495	Staff assistant, Representative Leonor K. Sullivan.
Thomas J. Hogan	Apr. 5, 1965	Economist	12,075	Department of Commerce.
Jerome M. Stein	Jan. 11, 1965	do	11,315	On detail from Department of Agriculture.
Ralph A. Freund, Jr.	do	do	10,250	Department of Agriculture.
Robert R. Miller	Feb. 15, 1965	do	10,250	Economist for dairy co-op in New York.
Arthur J. Cordell	June 1965	do	10,250	Professor, Cornell University.
Richard S. Magleby	do	do	10,250	Professor, Pennsylvania State University.
Alexander J. Basso	Feb. 8, 1965	do	9,535	Private business, real property management.
Lynn M. Daft	Jan. 28, 1965	do	9,535	Graduate student, Michigan State University.
Joseph N. Uhl	do	do	9,535	Do.
Allan S. Johnson	Feb. 1, 1965	do	8,650	Graduate student, Pennsylvania State University.
Rhoda W. Gorman	Nov. 1, 1964	Administrative officer	8,650	Secretary, Alaska Commission.
Pennie Paynich	Nov. 16, 1964	Secretary	8,650	
Mardell D. Halgerson	Nov. 2, 1964	do	8,650	
Helen L. Kelly	Jan. 18, 1965	do	8,440	
Inez H. Jarvis	Jan. 4, 1965	do	8,170	
Sally B. Johnson	Jan. 25, 1965	do	7,050	
Alice W. Bartinus	Feb. 1, 1965	do	7,050	
Kitty B. Celorier	Mar. 8, 1965	do	7,050	
Lillian H. Cottmeyer	Feb. 8, 1965	do	6,650	
Carolee Bush	Jan. 18, 1965	do	6,450	
Judy C. Mighell	Feb. 1, 1965	do	6,050	
Bernice M. Powell	Dec. 14, 1964	Typist/receptionist	5,990	
Ernestine L. Gibson	Mar. 15, 1965	Stenographer/typist	5,690	
Lee Stubbs	Nov. 17, 1964	Messenger/clerk	4,800	

Mr. ELLENDER. Are they permanent employees?

Mr. McGEE. Permanent employees of the Commission, not of the Government itself.

Mr. ELLENDER. To what extent have persons been employed from other departments of Government on a reimbursable basis? Are all these persons new persons the Commission is hiring?

Mr. McGEE. At the present time, we have only one such person on a reimbursable basis. In terms of phases of the problem of food marketing which have been available to the Commission, existing studies will be maintained up to date by the Federal Trade Commission, by the Antitrust Division of the Department of Justice, and by the Department of Agriculture.

Mr. ELLENDER. If my memory serves me correctly, those who sponsored the resolution last year—perhaps it was the year before—indicated that most of the employees would be connected with some Department of Government, so that this matter could be looked into at once and interim reports presented, in an effort to find out why it is that the farmers are getting so little and why it is that the chain stores are getting so much. Such information, in my judgment, would be of benefit if obtained within a few months. But, if it drags on, I do not believe that such information will do any good. I am hopeful that the Senator can give us assurance that if the Commission is extended, it will complete its work on or before July 31, 1966, and that its final reports will be ready for presentation to the Congress.

Mr. McGEE. The Commission has had unanimous conviction about the urgency of moving, and moving quickly. There was great reaction on the part of the Commission that some of the manifestations of the election required some delay. They would like to have taken care of it a year ago last summer. Circumstances seemed to operate against it. The feeling was expressed that if we started going at it too vigorously in the middle of an election, there would be those who might suggest that it would become a political football. We did not wish that to happen to this particular Commission. We believe that these problems are more complex and larger than a political party or political partisanship. Let me give my assurance to the Senator—and I believe I sense the attitude of the other 14 members of the Commission—that they are not about to prolong this matter unnecessarily, because it has taken a great deal of time, a great deal of digging. Every member of the Commission knows what he is supposed to be doing. Their sense of dedication to the importance of this particular question has led the Commission to place priority on the problem, in terms of getting it moving, but getting it moving in a constructive way in the hope that we can reach conclusions which will be helpful to all segments of the marketing structure.

Mr. ELLENDER. I hope that the work of the Commission can be completed in the time stated in the bill of

my good friend, the Senator from Wyoming, who has been giving a great deal of attention to the problem, and that he will be able to point with pride to the Commission that was organized. It said it would get its work done in 2 years, and here it is.

As the Senator from Wyoming knows, when we had debate on this subject it was my feeling that in order for the facts to be of benefit and get results, they would have to be presented very shortly.

Mr. McGEE. Yes. I assure the Senator from Louisiana that we intend to brook no unnecessary delays. If we can work double time, we shall make that endeavor. But I would mention as a qualifying observation that as one goes into the complexities of the situation the difficulty in terms of separating one phase of the problem from another, trying to isolate some aspects of the problem becomes more and more obvious to all. This is not news to the Senator from Louisiana, who has lived with such a problem for a long time. He is one of the great experts in the Senate on agricultural problems. He understands them with great grasp.

Mr. ELLENDER. I was not looking for any bouquets. The point is that I know the seriousness of the problem. The answers should be obtained tomorrow if possible. We must not wait until 3 or 4 years hence for them to be of any use.

Mr. McGEE. I agree with the Senator from Louisiana. We should have had the answers yesterday. If we could have made them available yesterday, we would have done so. I was not intending to give the Senator bouquets; I was merely trying to state the facts. The facts add up to a bouquet, nonetheless.

But that is not the point. I was merely trying to suggest that these questions are being injected at this point out of a great sense of perspective for the depth of the problem; and I believe that the RECORD should show it.

Mr. ELLENDER. If the Senator will look up the formation of some of these committees, particularly some that were appointed to investigate various needs, he will find that they have asserted they would get the jobs done in 12 months or some other specified time, and in so doing have been able to induce many Senators to go along with them. I do not wish to repeat it too often—the Senator was not in the Senate at the time—but I well remember the creation of the Juvenile Delinquency Committee, which was supposed to complete its work in not more than 2 years. That was 15 years ago. It is still a committee which seems to be important, is doing a great deal of work, and is spending a great deal of the Government's money. However, I express the hope that the committee will complete its work by June 30, 1966.

Mr. McGEE. Mr. President, I thank the Senator from Louisiana for his interest in this program as well as his remarks in regard to its present status, and to assure him that the Commission has no intention of dragging its feet.

I happen to be a member of another special and select committee which was created not long ago—since I became a

Member of the Senate. I refer to the Committee on Water Resources, which was created for 2 years. Not only did the committee complete its job in 2 years, under the leadership of the late distinguished Senator from Oklahoma, Robert Kerr, but it also turned back some of the funds which Congress had made available.

I know of no mark of real, great care that would be more a matter of pride to members of the President's Food Marketing Commission than to be able to achieve a measure of good judgment and economy.

Mr. ELLENDER. As the Senator knows, although he is a members of the Commission on Water Resources, I also happen to be a member.

Mr. McGEE. It would be difficult to select a committee in this body on which the distinguished Senator from Louisiana does not serve.

Mr. ELLENDER. We worked alone to try to reach the goal and complete the task by the date fixed.

If the Commission composed of five Senators, five Representatives, and five persons from the outside continues with its good work, I have no doubt that it can complete all of its studies on or before June 30, 1966.

Mr. McGEE. Mr. President, as I conclude, I believe it worth noting that in the Senate we had no illusions about the work that might be required, and we have been forthright about it. We believed that it would take 2 years and x amount of dollars, and I am suggesting it has not been a bad guess up until now. We intend to live up to the estimate we made in the projection of that time.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The question is on the third reading and passage of the bill.

The bill was ordered to a third reading, was read the third time, and passed.

Mr. McGEE. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 174), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of this bill is to extend for 1 year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriation for the Commission. In extending the life of the Commission to July 1, 1966, with a total authorization of \$2,500,000, the bill conforms to President Johnson's original proposal submitted to Congress April 1, 1964, and passed by the Senate May 18, 1964.

In order to get the Commission study underway, the Senate concurred in House amendments limiting the authorization to 1 year and \$1.5 million, with the understanding that an additional 1-year extension would be sought during this session of Congress.

The Commission received no funds until October 7, 1964. Because of the inability of the original Chairman to serve, due to health reasons, the selection of an executive director for the Commission was delayed until November 16, 1964. This also delayed the organizational meeting of the Commis-

sion which took place on January 7, 1965. It was not until this date that the Commission approved staff appointments and considered the broad outlines of its program.

Mr. McGEE. Mr. President, I thank the distinguished Senator from North Carolina for his great courtesy in yielding to me to call up the bill.

PRESIDENT JOHNSON'S POLICIES IN SOUTHEAST ASIA

Mr. McGEE. Mr. President, I ask unanimous consent to have printed in the RECORD a column written by Kenneth Crawford and published in this week's Newsweek magazine, dated May 10, 1965.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

KIDDING THE KIDS

(By Kenneth Crawford)

It would be unrealistic to expect youth to learn from the experience of age. Each new generation must learn for itself and from its own experience, not from example or preaching. Why, then, should anyone be surprised that a vocal segment of the student population is protesting President Johnson's policies in southeast Asia? Why should a bright college student, eager to start a civilian career, be attracted by the prospect of soldiering in Asia? Yet this is the prospect he will face if the limited war now going on in Vietnam becomes prelude to big war.

His reluctance is understandable. What is not so understandable is the guidance he is getting from many faculty members at teach-ins and from academicians marketing their advice on national policy to journals of opinion. Unless the learned are incapable of learning from events, professors should know from the world's experience during the last quarter century that wars are not prevented by running away from aggressors during the early stages of an aggression. They do the student no service by clothing his aversion to jungle war in the habiliments of idealism.

FACTS ARE FACTS

That is what they are doing when they equate denunciation of bombing raids against North Vietnam with the cause of civil rights in the United States. That is what they are doing when they suggest that an American plane dropping bombs on a North Vietnamese bridge or on a Vietcong concentration in South Vietnam is an evil comparable with systematic terrorization of South Vietnamese villagers, 9,750 of whom were murdered or abducted by the Vietcong in 1964.

What is even less understandable is the ignorance of facts or the determination not to be influenced by facts which characterizes much of the professorial comment on Vietnam. There is, for example, the repeated assertion that the South Vietnamese Army, which has sustained more casualties per man engaged than the United States suffered in Korea, won't fight. There is the reiterated statement that the war in the south is an indigenous revolution, in no way the product of aggression from the north, which is belied by irrefutable evidence that Hanoi directs, supplies, and increasingly mans the insurgency. A captured document disclosed that Hanoi itself concedes: "The revolution for liberation of the south would never succeed if the [Communist] Party were not directing it."

The major premise of the teach-inners seems to be that Red China's manifest destiny, given its population and resources, is to overrun southeast Asia and that to resist this movement is to defy an immutable law of nature. The same argument was made

against interfering with Hitler's bid for elbow room, and against arming Turkey and helping Greece when Stalin menaced them—sometimes by the same scholars who are now saying that we are hopelessly overextended trying to police the world.

EAST IS EAST

Even though intervention stopped Hitler and slowed Stalin, the teachers now tell their students that intervention won't work in Asia because East is East and West is West and the Asians hate whites even more than Hindus hate Moslems of the same complexion, which is frightening if true. But if it is true, then we whites haven't much future in this world because we are a small and shrinking minority of the human race.

Within the framework of China's inevitable expansion, Dr. Hans Morgenthau of the University of Chicago offers us comfort. Ho Chi Minh, he says, will be a Tito, somehow remaining independent of the Chinese. Just how Ho is to accomplish this is not clear. It has something to do with his Vietnamese nationalism. True, Ho hasn't the resources that protected Tito from Stalin, but Vietnam's historic dislike of China will make him free, or so Morgenthau contends.

Dr. Kenneth Galbraith of Harvard also has an interesting, though less important, idea. He told his teach-in audience that President Johnson is a victim of the wrong advice from the wrong people. Is it possible he doesn't know who's in charge here?

Somebody should tell the taught-in college boys of 1965 that their feeling about Vietnam, while natural, isn't noble. Their fathers, perhaps.

VIETNAM

Mr. McGEE. Mr. President, on Thursday last I addressed the members of this body to set forth my conviction that we have seen increasing signs in recent weeks which indicate that the restrained yet forceful policies of the Johnson administration are beginning to have a positive effect upon the outcome of the conflict in Vietnam. In those remarks, I suggested that any national debate based on the situation as it was in February, rather than as it is today, ignores substantial changes without which any debate would be less than productive and informative.

As an example of some of the changes in the status of affairs in the Far East, I cite an article published in the April 30 edition of the St. Louis Post-Dispatch, a journal noted for thoughtful and liberal judgments on the world around it. This article pointed out that it is becoming apparent that many nations of the world, which in most circumstances are sympathetic to the aspirations of the Red Chinese, are greatly disturbed by the contrast between Peiping's intransigence on the subject of negotiations and President Lyndon Johnson's demonstrated willingness to enter into unconditional negotiations at the earliest opportunity. The article suggests that this attitude may lead to the isolation of Red China from many of the nations it once counted as friends.

In addition, this article presents a thoughtful analysis of the reasons behind Red Chinese militancy which is most useful in any analysis of the Vietnamese question.

Mr. President, I believe that this article is a further indication of the fact that we are following the right course

in Vietnam and in Asia, and that this course should be maintained. I ask unanimous consent to have the article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the St. Louis Post-Dispatch,
Apr. 30, 1965]

RED CHINA'S ADAMANT OPPOSITION TO NEGOTIATED VIETNAM ACCORD LEADING TO AN ISOLATED PEIPING—EVEN SYMPATHETIC ASIANS NOTE DIFFERENCE BETWEEN JOHNSON'S WILLINGNESS TO TALK AND CHOU'S INSISTENCE ON A FIGHT

HONG KONG, April 30.—Peiping newspapers have documented what analysts here describe as the drift of Communist China toward international isolation on the Vietnam issue.

The estrangement may even apply to North Vietnam, which is balking at Peiping's uncompromising opposition to a negotiated settlement of the Vietnamese war.

The Soviet Union was the principal target on Peiping's front pages this week. A statement accused Moscow of collaborating with the United States to frustrate the Vietcong insurgents.

This sweeping castigation took in all Communist countries and parties adhering to the Soviet ideological doctrine.

The news given greatest prominence was a statement last Saturday by Prince Norodom Sihanouk, Cambodian chief of state, in which he objected to using a proposed international conference on his country as a forum for discussions on Vietnam.

This is a propaganda technique that Peiping has employed in working against the Soviet proposal for a conference on Cambodia. The proposal has been accepted by Britain and the United States and approved in principle by North Vietnam.

Asians, including those who are friendly to the Chinese Communists, have been thrust into making a comparison between U.S. willingness to talk peace and Peiping's aloofness.

Many of these Asians saw in their newspapers or heard on their radios the statements by President Lyndon B. Johnson offering to talk about peace unconditionally with any government. They also saw or heard Peiping's denunciation of the President as a "hatchetman" and its attack on the Soviet leaders for suggesting that Mr. Johnson was a sensible man.

The Chinese Communists insisted in their statement that the Vietnamese insurgents must fight until the U.S. forces were completely defeated and compelled to withdraw. Only then, the statement said, should they embark on any peace talks.

The Soviet suggestion, which is implied in Moscow's more flexible attitude toward negotiations, that the Vietnamese Communists may be able to obtain at the conference table what has eluded them on the battlefield was dismissed by Peiping with the assertion that peaceful coexistence with the United States was impossible.

In its statement, Peiping spurned the Soviet appeal of last Thursday for "united action," which would have strengthened Communist military and diplomatic backing for North Vietnam. This would suggest that Communist China has higher priorities than those assigned to their comrades in Hanoi, the North Vietnam capital, and to the Vietcong in South Vietnam.

Analysts here cite two explanations of Peiping's demand for a protracted war, although the Vietnamese Communists might find a negotiated settlement more advantageous at this time.

Ideologically, a U.S. military debacle in South Vietnam is required to confirm the Chinese Communist thesis that armed revo-



Public Law 89-20
89th Congress, H. R. 5702
May 15, 1965

An Act

79 STAT. 111.

To extend for one year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriations for such Commission.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section Food marketing. 4(b) of Public Law 88-354, approved July 3, 1964 (78 Stat. 270), is 7 USC 1621 amended by striking out the figures "1965," and inserting in lieu note. thereof the figures "1966".

(b) Section 7 of such Act (78 Stat. 272) is amended by striking Appropriation. out the figures "\$1,500,000" and inserting in lieu thereof the figures "\$2,500,000".

Approved May 15, 1965.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 207 (Comm. on Agriculture).

SENATE REPORT No. 174 (Comm. on Commerce).

CONGRESSIONAL RECORD, Vol. 111 (1965):

Apr. 5: Considered and passed House.

May 3: Considered and passed Senate.

